

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 22-118—HB 5506
Emergency Certification

**AN ACT ADJUSTING THE STATE BUDGET FOR THE BIENNIUM
ENDING JUNE 30, 2023, CONCERNING PROVISIONS RELATED TO
REVENUE, SCHOOL CONSTRUCTION AND OTHER ITEMS TO
IMPLEMENT THE STATE BUDGET AND AUTHORIZING AND
ADJUSTING BONDS OF THE STATE**

TABLE OF CONTENTS:

§§ 1-9 — FY 23 APPROPRIATIONS

Increases FY 23 appropriations for eight appropriated funds

§§ 10-11 & 58 — ARPA ALLOCATION ADJUSTMENTS

Modifies ARPA funding allocations for FYs 22-24 and adds new allocations for FY 25

§§ 12-55 — CARRYFORWARDS AND TRANSFERS

Modifies and expands carryforwards and transfers of FY 20-21 appropriations in the FY 22-23 budget act and requires that these amounts not lapse and continue to be available during FY 23; carries forward to FY 23 various unspent balances from FY 22 and transfers specified amounts to other agencies and accounts; transfers designated amounts from the General Fund and community investment account to other purposes for FY 22 and FY 23, respectively

§ 37 — ALLOTMENT REDUCTIONS

Prohibits the OPM secretary from reducing allotments to implement budgeted lapses if the budget is projected to be in surplus

§ 56 — OPEN CHOICE PROGRAM NONLAPSING FUNDS

Requires the SDE commissioner to use certain nonlapsing funds from the Open Choice program to provide a grant to the Legacy Foundation of Hartford, Inc.

§ 57 — CONNECTICUT SUMMER AT THE MUSEUM PROGRAM GRANTS

Reserves at least \$3.5 million of ARPA funding allocated to DECD for specified grants to for-profit entities as part of the Connecticut Summer at the Museum program

§ 59 — TRIBAL GRANTS

Requires the OPM secretary to distribute \$3,000 grants from the Mashantucket Pequot and Mohegan Fund to three tribes for FY 23

§ 60 — YOUTH SERVICES PREVENTION GRANTS

Modifies the list of Youth Services Prevention grant recipients and amounts for FY 23

[§ 61 — PLAN FOR FEDERAL REIMBURSEMENT OF LEGAL REPRESENTATION IN CHILD PROTECTION PROCEEDINGS](#)

Requires DCF and the Division of Public Defender Services to develop a plan for receiving federal reimbursement of legal representation in child protection proceedings and enhancing this representation; authorizes the OPM secretary to make up to \$150,000 available to the division for specified proceedings

[§ 62 — YOUTH SERVICE BUREAU AND JUVENILE REVIEW BOARD PLAN](#)

Requires DCF to develop a plan to expand coverage and improve outcomes for youth service bureaus and juvenile review boards; authorizes the OPM secretary to make up to \$2 million of ARPA funding available to DCF to implement the plan

[§ 63 — CONNECTICUT PORT AUTHORITY STUDY](#)

Requires the Connecticut Port Authority to study specified port and harbor-related issues and report its findings to the Environment and Appropriations committees by January 1, 2023

[§ 64 — MONTHLY OPM REPORT ON CARRYFORWARDS AND ARPA ALLOCATIONS](#)

Requires the OPM secretary to submit a monthly status report to the Appropriations Committee on the carryforwards and ARPA allocations under the FY 22-23 budget and implementer acts

[§ 65 — JUDICIAL DEPARTMENT FY 23 ALLOTMENTS FOR VICTIM SERVICE PROVIDERS](#)

Limits the allotment of FY 23 General Fund appropriations and ARPA allocations to the Judicial Department for enhanced funding for victim service providers

[§ 66 — CORONAVIRUS CAPITAL PROJECTS FUND GRANT APPLICATION](#)

Requires the OPM secretary to apply to the U.S. Department of the Treasury by January 1, 2023, for certain grant funding under ARPA's Coronavirus Capital Projects Fund program

[§ 67 — LEGISLATIVE BRANCH CONTRACTING PROCEDURES](#)

Sets procedural requirements that the Office of Legislative Management must follow when entering into certain goods and services contracts

[§ 68 — OFFICE OF AQUATIC INVASIVE SPECIES](#)

Creates an Office of Aquatic Invasive Species within the Connecticut Agricultural Experiment Station; sets out office responsibilities; requires a department head to be hired by September 1, 2022

[§§ 69 & 70 — COLLABORATIVE DRUG THERAPY](#)

Makes various changes in state law affecting collaborative drug therapy agreements between certain health care practitioners and pharmacists

[§ 71 — PHARMACIST LICENSE RENEWAL](#)

Makes pharmacist licenses renewable annually, rather than biennially; makes the fee \$100 annually, rather than \$120 biennially

[§§ 72-74 — RESERVED SECTIONS](#)

Reserved sections

[§§ 75 & 514 — PAYMENTS TO VOLUNTEER FIRE COMPANIES](#)

Requires the state, within available appropriations, to pay volunteer fire companies \$500 for each call they respond to on designated highways

[§ 76 — LEGALIZED GAMBLING STUDY](#)

Transfers responsibility for the mandated legalized gambling study from DCP to DMHAS and requires the next study to be completed by August 1, 2023; authorizes the DMHAS commissioner to select a contractor to conduct the study; and expands the study's required components

[§ 77 — RESIDENT STATE TROOPER FRINGE FUNDING](#)

Beginning FY 23, increases, from 50% to 100%, the portion of the state employees' retirement system fringe recovery rate attributable to the system's unfunded liability that the comptroller must annually pay

[§ 78 — RURAL SPEED ENFORCEMENT GRANT PROGRAM](#)

Requires DESPP to administer a grant program, within available resources, to provide grants to eligible municipalities for speed enforcement on rural roads

[§ 79 — HEALTH CARE PROVIDER LOAN REIMBURSEMENT PROGRAM](#)

Requires OHE, by January 1, 2023, to establish a program to provide loan reimbursement grants to certain health care providers

[§ 80 — COMMUNITY GUN VIOLENCE INTERVENTION AND PREVENTION PROGRAM](#)

Requires DPH to establish a community gun violence intervention and prevention program and annually report to the Public Health Committee, starting by January 1, 2023, on the program's activities

[§ 81 — COMMISSION ON COMMUNITY GUN VIOLENCE INTERVENTION AND PREVENTION](#)

Establishes a Commission on Community Gun Violence Intervention and Prevention within DPH for administrative purposes only to advise the commissioner on programs and strategies to reduce the state's community gun violence; requires the commission to annually report its activities to the commissioner and the Public Health Committee starting by January 1, 2023

[§§ 82-89 — PROVISION OF FREE MENSTRUAL PRODUCTS](#)

Requires (1) certain government agencies and public and private organizations, starting July 1, 2023 or September 1, 2023, to provide free menstrual products to the people they serve and (2) DPH to set guidelines by July 1, 2022, on how to do this

[§ 90 — STATE LIBRARY BOARD CONSULTATION FOR CERTAIN LIBRARY SERVICES](#)

Requires the State Library Board to consult with certain entities before making changes to library services for people with disabilities or who are blind

[§ 91 — TRS VALUATIONS](#)

OLR PUBLIC ACT SUMMARY

Requires TRS to have an actuarial valuation performed every year, rather than every two years

[§ 92 — EQUITY AND THE GOVERNOR'S BUDGET](#)

Requires the governor's budget document to include an explanation of how its provisions advance efforts to ensure equity in the state

[§§ 93 & 94 — MUNICIPAL REVENUE SHARING ACCOUNT \(MRSA\)](#)

Modifies the distribution schedule for municipal revenue sharing grants made to municipalities from MRSA

[§ 95 — NEW HAVEN'S PAYMENT IN LIEU OF TAXES GRANT](#)

Allows New Haven to update the assessed valuations it submitted to OPM to calculate its FY 23 PILOT grant

[§§ 96-116 & 513 — CONNECTICUT RETIREMENT SECURITY PROGRAM](#)

Eliminates CRSA and makes the Office of the State Comptroller its successor; converts CRSA's board of directors to an advisory board; requires that money spent on the program from the General Fund be reimbursed by October 1, 2023

[§ 117 — MILITARY FUNERAL HONORS RIBBONS](#)

Authorizes the adjutant general to issue military funeral honors ribbons

[§ 118 — HONOR GUARD PAY INCREASE](#)

Increases, from \$50 to \$60, the daily pay for each member of an honor guard detail at a veteran's funeral

[§§ 119 & 120 — EXPANSION OF DEBT-FREE COLLEGE PROGRAM ELIGIBILITY](#)

Expands the debt-free community college program's eligibility to qualifying first-time, part-time Connecticut community-technical college students

[§ 121 — SMALL BUSINESS SEMINARS](#)

Requires BOR, within available funds, to develop seminars to help small businesses adapt to the post-COVID-19 business environment

[§ 122 — DAS JOBS OPENINGS WEBSITE](#)

Requires that the DAS website for executive branch job openings include links to job openings in the judicial and legislative branches and the state higher education system

[§ 123 — PROJECT LONGEVITY INITIATIVE](#)

Transfers certain responsibilities for the Project Longevity Initiative from OPM to the judicial branch on July 1, 2022

[§§ 125-126 — RESERVED SECTIONS](#)

Reserved sections

[§ 124 — CERTIFICATE OF NEED TASK FORCE](#)

Creates a task force to study and make recommendations on certificates of need for health care facilities

[§ 127 — SERS PENSION COST RECOVERIES](#)

Requires that certain pension cost recoveries be deposited in the SERS pension fund as an additional employer contribution

[§ 128 — STATE AGENCY ELECTRIC VEHICLE CHARGING STATIONS](#)

Establishes policies and procedures for using electric vehicle charging stations on state agency property

[§ 129 — CANNABIS GENERAL FUND ACCOUNTS AND APPROPRIATED FUNDS](#)

Allows money from a specified General Fund account and appropriated fund, established under the 2021 cannabis law, to be used for costs incurred to implement activities that law authorizes; requires OPM to consult with the Social Equity Council when allocating certain funds, and allows the council to provide recommendations to state agencies on certain expenditures

[§ 130 — LEGISLATIVE BRANCH GOODS AND SERVICES CONTRACT ADVERTISEMENTS](#)

Eliminates the requirement that the Legislative Management Committee advertise certain goods and services bidding opportunities in three newspapers

[§§ 131-134 — JUDICIAL COMPENSATION](#)

Increases the salary and other compensation for judges and certain other judicial officials by approximately 5% starting in FY 23

[§ 135 — AMBULANCE RATES](#)

Requires the DPH commissioner to proportionally adjust certain ambulance service rates within any increases the DSS commissioner makes to Medicaid ambulance service rates

[§ 136 — EMERGENCY MEDICAL SERVICES WORKING GROUP](#)

Requires the DPH commissioner, in collaboration with the DSS commissioner, to establish a working group to examine certain issues related to emergency medical services

[§ 137 — MUNICIPAL STORMWATER AUTHORITY FEES](#)

Modifies the partial fee reduction a stormwater authority must provide to property owners by placing more requirements on its availability and establishes an optional reduction; requires the authorities to adopt a procedure for providing fee reductions; eliminates the requirement that grand list valuation be considered when setting stormwater fees

[§ 138 — NONUNION RAISES & LUMP SUM PAYMENTS](#)

Requires most nonunion employees to receive the same pay increases as union employees in FYs 22, 23 & 24; requires legislative employees to receive the same lump sum payments as union employees in FYs 22 & 23

[§§ 139 & 140 — SALT APPLICATOR TRAINING AND COMMERCIAL APPLICATOR REGISTRATION PROGRAM](#)

Requires DEEP and DOT to work with UConn to conduct training for roadside salt applicators and report to the legislature on the training program; establishes a registration program within DEEP for commercial salt applicators who take the program

[§ 141 — LOCAL HEALTH DISTRICT REPORTING SYSTEM](#)

Requires local health districts to create an electronic reporting system for property owners to report sodium chloride damage and health departments to submit the reports to OPM; allows OPM to identify and issue financial assistance to help property owners fix the damage

[§ 142 — RESIDENTIAL WATER TREATMENT INFORMATION](#)

Requires residential water treatment system installers to provide certain customers with information about sodium and chloride in their drinking water

[§§ 143 & 144 — PREMIUM PAY PROGRAM](#)

Establishes the Connecticut Premium Pay program to provide \$200 to \$1,000 to certain employees who worked throughout the COVID-19 emergency, depending on their individual income, to recognize and compensate them for their service

[§§ 145 & 146 — CLIMATE-SMART AGRICULTURE AND FORESTRY PRACTICES](#)

Expands the farmland restoration program's purposes to include climate-smart agriculture and forestry practices; allows DoAg to (1) pay farmers up to 50% of certain grant funds in advance and (2) pay or reimburse certain entities for services designed to increase the number of farmers using climate-smart agriculture and forestry practices

[§ 147 — STROKE REGISTRY](#)

Requires DPH to maintain and operate a stroke registry and establishes a stroke registry data oversight committee within the legislative branch to monitor the registry's activities

[§ 148 — TECHNICAL CORRECTIONS DURING CODIFICATION](#)

Requires the Legislative Commissioners' Office to make necessary technical, grammatical, and punctuation changes when codifying the act

[§§ 149-153 — LEAD POISONING PREVENTION AND TREATMENT](#)

Generally lowers the threshold for blood lead levels in individuals at which DPH and local health departments must take certain actions; requires primary care providers to conduct annual lead testing for certain high-risk children ages 36 to 72 months; requires DSS to seek federal approval to amend the state Medicaid plan to add services to address the health impacts of high childhood blood lead levels in Medicaid-eligible children; and requires the DPH commissioner to convene a working group to recommend necessary legislative changes on various lead poisoning prevention and treatment issues

[§ 154 — SMALL BUSINESS EXPRESS PROGRAM](#)

Allows DECD to contract with nongovernmental entities in carrying out the Small Business Express program

[§ 155 — ECONOMIC ACTION PLAN IMPLEMENTATION AND FUNDING](#)

Allows DECD to establish two new programs through which the department may distribute certain funding for projects that implement the state's Economic Action Plan

[§ 156 — HISTORIC REHABILITATION TAX CREDIT PROGRAM FEES](#)

Expands the allowable uses of application fees DECD receives through the Historic Rehabilitation Tax Credit program to include funding certain programs that advance historical preservation

[§ 157 — DECD TECHNICAL CHANGE](#)

Makes a technical change to a DECD reporting requirement

[§ 158 — RESEARCH AND DEVELOPMENT TAX CREDIT STUDY](#)

Requires the DECD commissioner to study extending the research and development tax credit to pass-through entities

[§ 159 — RELEASE-BASED REMEDIATION DRAFT REGULATIONS](#)

Requires the DEEP commissioner give an advisory working group certain draft regulations for a release-based remediation program before adopting them

[§ 160 — MODEL STUDENT WORK RELEASE POLICY](#)

Requires (1) the Office of Workforce Strategy's chief workforce officer to develop a model student work release policy and report it to certain legislative committees by July 1, 2023, and (2) all boards of education to adopt it

[§ 161 — CANCELLATION OF UNCOLLECTIBLE CLAIMS](#)

Generally increases the maximum uncollectable claim amount that a state department or agency head may cancel from \$1,000 to \$5,000

[§ 162 — REDEMPTION CENTER GRANTS](#)

Allows beverage container recycling grant program funds to be used for expanding redemption centers and eliminates the \$150,000 cap on individual grants

[§§ 163-167 — CLASS II RPS & SUSTAINABLE MATERIALS MANAGEMENT PROGRAM](#)

Starting in 2023, limits the Class II RPS requirement to only Class II renewable energy sources; requires that the penalties for failing to meet the Class II requirement be used to fund a DEEP-administered sustainable materials management program

[§ 168 — RENTSCHLER FIELD ANNUAL BUDGET](#)

Eliminates requirements that the OPM secretary prepare and report on Rentschler Field's annual budget

[§ 169 — ENERGY PRODUCTION PLANT PURCHASE](#)

Authorizes the administrative services commissioner to purchase the plant that produces and provides steam and heated and chilled water for the Capitol Area System

[§§ 170 & 171 — STATE EMPLOYEE HEALTH PLAN DEPENDENT COVERAGE](#)

Requires certain health insurance coverage for children, stepchildren, or other dependent children of state or nonstate public employees to continue until at least the end of the calendar year after they either (1) obtain coverage through their own employment or (2) turn age 26, whichever occurs first

[§§ 172-192 — VARIOUS CHANGES TO TRS](#)

Makes various changes in the TRS statutes, including narrowing the definition of "teacher;" modifying aspects of lump sum payments; increasing the TRS monthly health insurance subsidy to

OLR PUBLIC ACT SUMMARY

school boards for retirees and their spouses meeting certain conditions; and changing the general TRS subsidy to school boards

§ 193 — PERSONAL CARE ATTENDANTS (PCA) CONTRACT APPROVAL

Approves the memorandum of agreement between the PCA Workforce Council and the New England Health Care Employees Union, District 1199, SEIU

§ 194 — PAID FAMILY MEDICAL LEAVE ANTI-RETALIATION

Prohibits employers from taking certain retaliatory actions against employees under the state's Paid Family and Medical Leave law

§ 195 — REPRODUCTIVE HEALTH CARE SERVICES DEFINITION

Expands the definition of "reproductive health care services" in a recently passed act to include gender dysphoria treatments

§§ 196 & 197 — TOBACCO SETTLEMENT FUND AND TOBACCO AND HEALTH TRUST FUND

Annually redirects \$12 million of Tobacco Settlement Fund proceeds from the General Fund to the Tobacco and Health Trust Fund and makes certain changes to the Tobacco and Health Trust Fund's legislative reports

§ 198 — ID CHECKS FOR TOBACCO SALES

Requires sellers, or their agents or employees, to request that each person intending to purchase cigarettes or tobacco products, regardless of apparent age, present a driver's license or identity card to establish that the person is at least 21 years old

§ 199 — DAS REPORT ON STATE AGENCY VACANCIES AND HIRING

Requires DAS to report monthly during FY 23 on the number of vacancies, new hires, and refused employment offers for each state agency

§§ 200-204 — PSYCHEDELIC-ASSISTED THERAPY

Establishes (1) a Psychedelic-Assisted Therapy Pilot Program at the Connecticut Mental Health Center, (2) a fund to administer program grants, and (3) an 11-member advisory board within DMHAS to advise the department on various issues related to this therapy; makes related changes to the potential rescheduling of certain psychedelic substances (PA 22-46, § 28 repeals these sections)

§ 205 — ESSENTIAL WORKERS COVID-19 ASSISTANCE PROGRAM

Expands the program to cover a broader range of essential workers; extends the application deadline until the end of 2022; makes various changes to how the program's benefits must be determined and administered

§ 206 — CLARIFICATION CONCERNING LOCAL APPROVAL OF OUTDOOR DINING

Specifies that local approval of outdoor dining pursuant to PA 22-1, § 2, does not exempt operators from complying with the Liquor Control Act

§ 207 — DOC REPORT ON PRISON SUBSTANCE USE DISORDER AND MENTAL HEALTH SERVICES

OLR PUBLIC ACT SUMMARY

Requires DOC to annually review, evaluate, and make recommendations on (1) substance use disorder and mental health services for incarcerated individuals and (2) reintegrating these individuals into the community

§§ 208-209 — RESERVED SECTIONS

Reserved sections

§ 210 — PILOT PROGRAM COLLECTING FIRE AND RESCUE SERVICE DATA

Requires DESPP to establish a three-year pilot program implementing a fire and rescue service data collection system

§ 211 — UNEMPLOYMENT TAX CHANGES

For 2023, reduces the unemployment tax rate that certain new employers must pay by 0.2% and lowers the maximum fund balance tax rate from 1.4% to 1.2%

§§ 212-215 — INSURANCE HOLDING SYSTEM GROUP CAPITAL CALCULATIONS AND LIQUIDITY STRESS TESTS

Generally adopts amendments to the National Association of Insurance Commissioners' Insurance Holding Company System Regulatory Act related to group capital calculations and liquidity stress tests

§ 216 — WORKING GROUP ON CRIMINALIZING COERCION AND INDUCEMENT

Establishes a 10-member working group to develop recommendations for possible legislation to criminalize coercion and inducement as described under federal law

§§ 217-223 — HEALTH CARE BENCHMARKS

Requires OHS to establish benchmarks for health care quality and cost growth and primary care spending targets and allows OHS to identify entities that do not meet them

§ 224 — HEALTH ENHANCEMENT PROGRAMS

Requires health carriers to develop at least two health enhancement programs by January 1, 2024, provide incentives for their use, and cover associated costs

§§ 225 & 226 — CERTIFICATE OF NEED APPLICATION FEE AND TERMINATION OF SERVICES

Increases the certificate of need application fee for health care institutions based on a project's cost; defines "termination of services" to mean ending services for more than 180 days

§§ 227 & 250 — OHS EXECUTIVE DIRECTOR AS STATUTORY DEPARTMENT HEAD

Retains the OHS executive director as a statutory department head and makes a technical change

§ 228 — OPTICAL STORES REMAINING OPEN WITHOUT OPTICIAN PRESENT

Allows optical stores, in limited circumstances, to remain open for up to four consecutive days without an optician's supervision, and limits the activities that the store's owners or employees may perform during these periods

[§ 229 — BUDGET RESERVE FUND SURPLUS](#)

Prescribes, through FY 23, the order in which the state treasurer must transfer excess BRF funds to reduce the state's unfunded pension liability

[§ 230 — MINIMUM RATE FOR ICF-IIDS](#)

Requires DSS to increase the minimum per diem, per bed rate for ICF-IIDS to \$501

[§ 231 — DPH STUDENT LOAN REPAYMENT PROGRAM](#)

Requires providers participating in DPH's Student Loan Repayment Program to provide behavioral health services and expands the types of clinicians that the program may recruit

[§§ 232 & 233 — MEDICAL ASSISTANCE AND IMMIGRATION](#)

Expands eligibility for state-funded medical assistance provided regardless of immigration status to cover children ages 12 and under, rather than ages 8 and under, and requires children eligible for the assistance to continue receiving it until they are age 19

[§ 234 — CHCPE COST SHARING REDUCTION](#)

Reduces, from 4.5% to 3%, the required cost sharing for participants in the state-funded portion of the Connecticut Homecare Program for Elders

[§ 235 — COMMUNITY SPOUSE PROTECTED AMOUNT](#)

Increases the minimum amount of assets an institutionalized Medicaid recipient's spouse may keep from \$27,480 (in 2022) to \$50,000 and requires DSS to report on the change to the Aging, Appropriations, and Human Services committees

[§§ 236 & 237 — TEMPORARY FAMILY ASSISTANCE \(TFA\) STANDARDS](#)

Beginning in FY 23, sets the income limit for the TFA program at 55% FPL, rather than a regional standard

[§ 238 — MEDICAID REIMBURSEMENT FOR VENTILATOR BEDS](#)

For FY 23, requires the DSS commissioner to amend the Medicaid state plan to increase the per diem reimbursement rate for chronic disease hospitals by \$500 for ventilator beds

[§ 239 — FQHC PAYMENTS](#)

Requires DSS to reimburse FQHCs (1) on an all-inclusive encounter rate per client encounter, based on a prospective payment system under federal law, and (2) according to requirements in existing state regulations; prohibits FQHCs from providing nonemergency, periodic dental services on different dates of service to enable billing for separate encounters

[§§ 240 & 241 — COMMUNITY HEALTH WORKER GRANT PROGRAM](#)

Transfers DPH's Community Health Worker Grant Program to DSS, increases the individual and aggregate caps on program grants, and extends the program by one year

[§ 242 — TEMPORARY FINANCIAL RELIEF FOR NURSING HOMES](#)

Eliminates requirements for how DSS must allocate \$10 million in ARPA funds for nursing homes

[§ 243 — COMMUNITY OMBUDSMAN PROGRAM](#)

OLR PUBLIC ACT SUMMARY

Creates a Community Ombudsman program to, among other things, respond to complaints about long-term services and supports provided in DSS-administered home and community-based programs (repealed and replaced by PA 22-146 §§ 7 & 29)

§§ 244 & 245 — BAN ON NON-COMPETE CONTRACTS

Prohibits contracts between a homemaker-companion agency or home health agency and a client from including a “no-hire” clause

§ 246 — LONG-ACTING CONTRACEPTIVES AT FQHCS

Requires the DSS commissioner to allocate \$2 million from FY 23 federal funds allocated to the department, for the purchase and provision of long-acting reversible contraceptives by federally qualified health centers

§ 247 — MEDICAID COVERAGE OF NATUROPATH SERVICES

Requires the state’s Medicaid program to cover services provided by licensed naturopaths

§ 248 — BAN ON RECOVERING FEDERAL FUNDS FROM PROVIDERS

Prohibits state agencies that contract with health and human services providers from trying to recover or otherwise offset federal ARPA funds for home- and community-based services

§ 249 — COLAS FOR PROVIDERS CONTRACTING WITH DDS

Requires OPM to disburse unallocated funds for FYs 22 and 23 to state-contracted providers of DDS services as COLAs

§§ 251 & 252 — COVERED CONNECTICUT

Transfers the administration of the Covered Connecticut program from OHS to DSS; expands coverage to include disabled adult children and certain other dependents; replaces a biannual reporting requirement with an annual one beginning in 2024

§ 253 — YOUTH SERVICE BUREAU GRANTS

Makes FY 22 YSB applicants eligible for a state grant

§ 254 — REDUCED TUITION PAYMENTS TO MAGNET SCHOOLS

Beginning in FY 23, lowers the enrollment threshold that triggers the reduced tuition rate for East Hartford's tuition due to magnet schools and applies the same enrollment threshold and reduced tuition rate to Manchester; applies the same enrollment threshold and reduced tuition rate to all other Sheff region towns, New Britain, and New London for FY 23 only; makes SDE financially responsible, within available appropriations, for magnet tuition losses from these reduced tuition rates

§ 255 — ADULT EDUCATION PROGRAM GRANT CAP

Accelerates the grant cap's sunset date by one year

§ 256 — CHARTER SCHOOL OPERATING GRANTS

Increases the charter grant adjustment percentage, from 14.76% to 25.42%, in the FY 23 charter school per-student operating grant formula

§§ 257 & 258 — PARAEDUCATOR PROFESSIONAL DEVELOPMENT

OLR PUBLIC ACT SUMMARY

Requires boards of education to provide, and paraeducators to participate in, a professional development program beginning in the 2022-23 school year

§ 259 — OEC EMERGENCY STABILIZATION GRANT PROGRAM

For FYs 23 and 24, requires OEC to administer an emergency stabilization grant program for certain school readiness programs and state-contracted child care centers receiving state financial assistance

§ 260 — BILINGUAL EDUCATION GRANT

Increases funding for the state bilingual education grant from \$1.9 million to \$3.8 million a year

§ 261 — THE GILBERT SCHOOL STUDY

Requires SDE to study the funding process for The Gilbert School

§ 262 — MAGNET SCHOOL GRANT CHANGE

For FY 22, changes the per student grant amount for Thomas Edison Magnet School in Meriden

§ 263 — CLIMATE CHANGE CURRICULUM

Requires, rather than allows, climate change to be taught as part of the science requirement in public schools

§ 264 — SPECIAL EDUCATION EXPENDITURE STUDY

Requires SDE to compile and analyze school district special education expenditure information and report it to the Appropriations and Education committees by July 1, 2023

§ 265 — SPECIAL EDUCATION EXCESS COST GRANT

Creates a three-tiered reimbursement method, based on each town's property wealth per capita, for determining the special education excess cost grant when the appropriation does not fully fund the grant

§ 266 — ALLIANCE DISTRICT PROGRAM RENEWAL

Renews the alliance district program for five years; requires the commissioner to designate 36, rather than 33, alliance districts

§§ 267-269 — EDUCATION COST SHARING (ECS) GRANTS AND PHASE-IN SCHEDULE

Changes some of the factors used in the ECS phase-in schedule for ECS grant increases and decreases; essentially keeps the yearly changes the same as under prior law

§ 270 — OPEN CHOICE HARTFORD REGION GRANT

Creates an additional \$2,000 per-student Open Choice grant for Hartford region school districts that accept out-of-district students

§§ 271-298 & 514 — TECHNICAL AND CONFORMING CHANGES TO MAKE THE CONNECTICUT TECHNICAL EDUCATION AND CAREER SYSTEM (CTECS) AN INDEPENDENT STATE AGENCY

Makes numerous conforming, minor, and technical changes related to transitioning CTECS into an independent agency; addresses specific duties of the CTECS executive director and superintendent; makes conforming changes to maintain CTECS teachers and professional staff as members in TRS

[§ 299 — MAGNET SCHOOL SUPPLEMENTAL TRANSPORTATION GRANT](#)

Changes the payment schedule and number of payments for a supplemental transportation grant for Sheff magnet schools

[§ 300 — PRIVATE SCHOOL CURRICULUM ACCREDITATION](#)

Requires SBE to allow private school curriculum accreditation by Cognia

[§§ 301-305 — FY 22 BUDGET ADJUSTMENTS](#)

Makes deficiency appropriations and corresponding reductions for FY 22 in the General Fund and Special Transportation Fund

[§§ 306-320, 358 & 360 — NEW BOND AUTHORIZATIONS FOR STATE AGENCY PROJECTS](#)

Authorizes state GO bonds in FY 23 for various state projects and grant programs

[§§ 321-326 — NEW TRANSPORTATION PROJECT AUTHORIZATION](#)

Authorizes up to \$20 million in STO bonds for purchasing and installing advanced wrong-way driving technology

[§§ 327-329 — CONNECTICUT BABY BOND TRUST PROGRAM](#)

Delays the (1) trust's establishment to July 1, 2023, and (2) program's bond authorization schedule by two years, from FY 23 to FY 25; limits the program's designated beneficiaries to babies born on or after July 1, 2023, rather than July 1, 2021, whose births were covered under HUSKY

[§§ 330-331 & 333-357 — CHANGES TO EXISTING AUTHORIZATIONS](#)

Modifies amounts authorized for specified bond authorizations; makes various changes to existing authorizations' purposes

[§ 332 — GRANT PROGRAM FOR PURCHASING ELIGIBLE BODY AND DASHBOARD CAMERAS AND RELATED EQUIPMENT AND SERVICES](#)

Extends, to FY 23, the municipal grant program for purchasing eligible body and dashboard cameras and related equipment and services

[§ 359 — DOH HEALTH CARE WORKER HOUSING PROGRAM](#)

Authorizes up to \$20 million in GO bonds for DOH to develop housing for health care workers

[§ 361 — OFFICE OF COMMUNITY ECONOMIC DEVELOPMENT ASSISTANCE](#)

Establishes a new office within DECD to assist eligible community development corporations; authorizes up to \$50 million in state GO bonds to fund its operations and a grant program for certified CDC projects in target areas

[§ 362 — SCHOOL CONSTRUCTION GRANT COMMITMENTS](#)

Authorizes eight school construction state grant commitments totaling \$137.35 million toward total project costs of \$495.34 million; reauthorizes one technical high school project with an additional state grant commitment of \$59.55 million, which matches the additional estimated project cost

[§§ 363, 372, 375 & 377-379 — SCHOOL SAFETY INFRASTRUCTURE COUNCIL AND SCHOOL BUILDING PROJECTS ADVISORY COUNCIL](#)

Eliminates the School Safety Infrastructure Council and generally transfers its duties to the School Building Projects Advisory Council; adds a ninth member to the advisory council

[§ 364 — MAGNET SCHOOLS AND SCHOOL CONSTRUCTION GRANTS](#)

Makes minor and technical changes related to DAS's approval of magnet school construction project grants

[§ 365 — CAPITOL REGION EDUCATION COUNCIL \(CREC\) LONG-RANGE CAPITAL IMPROVEMENT PLAN](#)

Requires CREC to adopt a long-range plan for capital improvement and school building project priorities for magnet schools every five years and a rolling three-year capital plan every year; requires the plans to be submitted to DAS, which in turn must submit them to the legislature

[§ 366 — PENALTY FOR SCHOOL CONSTRUCTION PROJECTS FAILING TO MEET MINORITY BUSINESS ENTERPRISE \(MBE\) SET-ASIDE GOALS](#)

Withholds 5% of a school construction project's reimbursement grant if the applicant does not meet MBE set-aside goals; reduces the amount of a reimbursement grant held back pending an audit from 11% to 5%

[§ 367 — SCHOOL BUILDING INDOOR AIR QUALITY GRANT PROGRAM](#)

Requires DAS to administer a reimbursement grant program, beginning in FY 23, for the cost of indoor air quality improvements to school buildings, including the installation, replacement, or upgrading of HVAC systems

[§ 368 — HVAC SYSTEM PIPELINE TRAINING PILOT PROGRAM](#)

Requires OWS to establish an HVAC system pipeline training program

[§ 369 — INDOOR AIR QUALITY IN SCHOOLS](#)

Generally requires school boards to conduct a uniform inspection and evaluation of the HVAC system in each school building under its jurisdiction every five years; requires the HVAC inspection report to be made public at a school board meeting and online and include any corrective actions; requires the existing air quality inspections to take place every three years rather than five

[§ 370 — SCHOOL INDOOR AIR QUALITY WORKING GROUP](#)

Creates a working group to make recommendations about school air quality to the governor and legislature

[§ 371 — SCHOOL CONSTRUCTION SPACE STANDARDS](#)

Extends the 25% increase in per-pupil square footage limits in state law for school buildings built before 1950 to include those built before 1959

[§ 372 — SCHOOL CONSTRUCTION PRIORITY LIST ADDENDUM](#)

Requires the DAS commissioner to create an addendum to the school construction priority list to include DAS-awarded grants for certain projects lacking legislative approval (i.e., "emergency grants")

[§ 373 — EMERGENCY SCHOOL CONSTRUCTION PROJECT APPROVAL](#)

OLR PUBLIC ACT SUMMARY

Eliminates the DAS commissioner's authority to approve emergency school construction reimbursement grants for (1) administrative and service facilities and (2) school security projects; removes the requirement that a superintendent notify the DAS commissioner of the need for an emergency grant and formally apply within a certain timeframe

§ 374 — SCHOOL CONSTRUCTION PROJECT COMPLETION AND CLOSURE

Requires school construction grant recipients to submit a project completion notice to DAS within three years after a certificate of occupancy is issued

§ 376 — SCHOOL CONSTRUCTION BIDDING REQUIREMENTS AND CONSTRUCTION MANAGEMENT SERVICES

Eliminates from prior law the (1) newspaper advertising requirement for public invitations to bid on orders and contracts for school construction services and (2) option for a construction manager to self-perform any school construction project element, which was set to take effect beginning on July 1, 2022; requires the construction manager to invite bids on project elements on the State Contracting Portal

§§ 380-405 & 516 — SCHOOL CONSTRUCTION PROJECT EXEMPTIONS, WAIVERS, MODIFICATIONS, AND A REPEAL

Exempts school construction projects in 16 towns and one regional school district from certain statutory and regulatory requirements to allow them to, among other things, qualify for state reimbursement grants, receive higher grant reimbursement percentages, or have their projects reauthorized due to a change in scope; repeals a prior project authorization

§ 406 — STATE AND CONNECTICUT AIRPORT AUTHORITY BUILDING PERMIT APPLICATIONS

Eliminates the requirement that building permit applications for certain large-scale state and Connecticut Airport Authority construction projects include two copies of the plans and specifications

§ 407 — STATE BUILDING CODE VARIATIONS, EXEMPTIONS, AND EQUIVALENT OR ALTERNATE COMPLIANCE LIST

Allows DAS to publish the biennial list of State Building Code variations, exemptions, and equivalent or alternate compliance on its website rather than sending it to all local building officials

§ 408 — PROPERTY TAX CREDIT INCREASE

Beginning with the 2022 tax year, increases the property tax credit from \$200 to \$300 and expands the number of taxpayers who may claim it

§ 409 — EARNED INCOME TAX CREDIT (EITC)

Increases the state EITC from 30.5% to 41.5% of the federal credit starting in the 2023 tax year

§ 410 — EITC ENHANCEMENT PROGRAM

Establishes a personal income tax exemption for income from the 2020 and 2021 EITC enhancement program

§ 410 — PENSION AND ANNUITY TAX EXEMPTION ACCELERATION

Accelerates the pension and annuity income tax exemption phase-in by allowing qualifying taxpayers to deduct 100% of this income beginning with the 2022 tax year

[§ 411 — CHILD TAX REBATE](#)

Establishes a one-time rebate for qualifying, domiciled taxpayers in Connecticut equal to \$250 for each child, for up to three children

[§ 412 — INCOME TAX CREDIT FOR STILLBIRTHS](#)

Establishes a \$2,500 income tax credit for the birth of a stillborn child

[§§ 413-414 — MOTOR VEHICLE MILL RATE CAP LOWERED](#)

Beginning with FY 23, reduces the motor vehicle mill rate cap from 45 to 32.46 and modifies the reimbursement grant formula; authorizes municipalities and districts to adjust their motor vehicle mill rate for FY 23

[§§ 415-418 — ABANDONED PROPERTY PROGRAM](#)

Expands the range of property the treasurer must publish in his abandoned property notice and changes the notice's required format; establishes conditions under which the treasurer may automatically pay abandoned property amounts of less than \$2,500 to the property's sole owner; requires the treasurer to notify certain abandoned property owners by mail about the process for verifying their property ownership and claiming it; eliminates aggregate reporting of abandoned property valued at less than \$50

[§ 419 — STUDENT LOAN PAYMENT TAX CREDIT](#)

Expands the loans eligible for the student loan payment tax credit and allows "qualified small businesses" to apply to the DRS commissioner to exchange the credit for a refund

[§§ 420-424 — JOBSCT TAX REBATE PROGRAM](#)

Establishes the JobsCT tax rebate program under which companies in specified industries may earn rebates against the insurance premiums, corporation business, and pass-through entity taxes for reaching certain job creation targets

[§ 425 — EXPANDED MANUFACTURING APPRENTICESHIP TAX CREDIT](#)

Extends the manufacturing apprenticeship tax credit to the pass-through entity tax for tax years beginning on or after January 1, 2022

[§ 426 — BRAINARD AIRPORT PROPERTY STUDY](#)

Requires DECD to have an analysis conducted on the benefits and opportunity costs to Hartford and the state of the current and alternative uses of the Hartford Brainard Airport property; generally prohibits the CAA from further encumbering the property

[§§ 427 & 428 — XL CENTER RETAIL SPORTS WAGERING PROCEEDS](#)

Provides the Capital Region Development Authority with the proceeds from retail sports wagering at the XL Center to operate the facility; requires the Connecticut Lottery Corporation president to monthly estimate and certify this amount

[§ 429 — SALES AND USE TAX REFUNDS FOR BEER AND WINE MANUFACTURERS](#)

Extends certain manufacturing-related sales and use tax exemptions to holders of manufacturer permits for a farm winery and wine, cider, and mead; allows these same permittees and manufacturer permittees for beer to receive a sales and use tax refund on these manufacturing-related purchases made from July 1, 2018, through July 1, 2023

[§ 430 — SALES AND USE TAX EXEMPTION FOR WATER COMPANIES](#)

Exempts certain water company purchases from sales and use tax

[§ 431 — GAS TAX HOLIDAY](#)

Extends through November 30, 2022, the suspension of the 25-cent-per-gallon motor vehicle fuels tax on gasoline and gasohol

[§ 432 — MOTOR VEHICLE FUELS TAX REFUND FOR EMERGENCY MEDICAL SERVICE ORGANIZATIONS](#)

Allows EMS organizations to get a motor vehicle fuels tax refund for fuel used in ambulances the organization owns

[§§ 433 & 434 — MUNICIPAL GAS COMPANY GROSS EARNINGS TAX EXEMPTION](#)

Beginning July 1, 2022, exempts municipal gas utilities from the utility companies tax

[§ 435 — ADMISSIONS TAX ON MOVIES ELIMINATED](#)

Eliminates the 6% admissions tax on movie tickets beginning in 2023

[§§ 436 & 515 — AMBULATORY SURGICAL CENTER TAX REPEAL](#)

Eliminates the ASC tax beginning July 1, 2022

[§ 437 — SPONSORED CAPTIVE AND ASSOCIATION CAPTIVE INSURER DEFINITIONS](#)

Changes definitions as they relate to statutes governing captive insurers to, among other things, incorporate sponsored captives

[§§ 437 & 439-444 — FOREIGN BRANCH CAPTIVES](#)

Allows foreign captive insurers to open a branch in Connecticut and generally subjects them to requirements applicable to alien captives

[§ 438 — TAX AMNESTY PROGRAM](#)

Creates a tax amnesty program for insureds that open a branch captive in, or transfer an alien or foreign captive to, Connecticut by June 30, 2023

[§§ 440, 443 & 445-448 — CAPTIVE INSURER CAPITAL, EXAMINATION, REINSURANCE, AND DORMANCY REQUIREMENTS](#)

Makes several changes to the captive insurer licensing statutes, including by potentially reducing minimum capital and surplus requirements.

[§§ 449-456 & 514 — STATE RECOVERY OF PUBLIC ASSISTANCE BENEFITS](#)

Prohibits the state from recovering properly paid cash or medical assistance unless required to do so under federal law; releases liens and claims filed before July 1, 2022, to recover assistance when recoveries are not required under federal law or associated with child support collection

[§§ 457 & 458 — COST OF INCARCERATION](#)

OLR PUBLIC ACT SUMMARY

Regarding the state's claim for incarceration costs, (1) exempts up to \$50,000 of an inmate's other assets, except those of inmates incarcerated for certain serious crimes, and (2) makes the state's lien against lawsuit proceeds applicable only to inmates incarcerated for certain serious crimes

§ 459 — OEC START EARLY – EARLY CHILD DEVELOPMENT INITIATIVE

Requires OEC to establish and administer the Start Early - Early Child Development Initiative; allows OEC to use funds the state received through the American Rescue Plan Act to administer it

§ 460 — TAX INCIDENCE STUDY

Expands the scope of the DRS tax incidence study; moves the deadline for the next study from February 15, 2024, to December 15, 2023

§ 461 — TOWN AID ROAD REPORTING

Requires each town or district that received TAR funds to annually report to the transportation commissioner on how the funds were used

§ 462 — ADVANCED NOTICE OF ROAD PROJECTS

Requires municipalities, utility companies, and OPM to submit certain reports related to (1) advanced notice of road projects affecting utility infrastructure and (2) inspection procedures upon project completion

§§ 463 & 464 — 30-YEAR MUNICIPAL BONDS

(1) Makes permanent an authorization allowing municipalities to issue bonds with a term of up to 30 years and (2) extends this authorization by five years for refunding bonds

§ 465 — ENTERPRISE ZONE DESIGNATION REMOVAL

Prohibits the DECD commissioner from removing an enterprise zone's designation under specified conditions

§§ 466 & 467 — COMMERCIAL DRIVER'S LICENSE TRAINING PROGRAM

Requires OWS to design and implement a program to support individuals pursuing commercial driver's license (CDL) training; establishes a nonlapsing account within OWS to support the program; establishes a Connecticut Career Accelerator Program Advisory Committee

§ 468 — PROPERTY APPRAISAL REQUIREMENT FOR APPEALS § 12-117A

Requires certain property owners who appeal their real property's valuation to the Superior Court to file a property appraisal with the court

§§ 469 & 470 — CRDA'S SOLICITATION OF PRIVATE INVESTMENTS

Authorizes CRDA to solicit private investment funds from companies for projects it undertakes; establishes conditions under which businesses may make these investments if one of their officers, directors, shareholders, or employees is a CRDA board member

§ 471 — REDUCED FY 23 TRANSFER OF AMERICAN RESCUE PLAN ACT FUNDS

OLR PUBLIC ACT SUMMARY

Eliminates the FY 22 transfer to the General Fund from designated ARPA funds and reduces the FY 23 transfer from \$1,194.9 million to \$314.9 million

[§ 472 — ARPA HOME AND COMMUNITY-BASED SERVICES FUNDS](#)

Requires the state comptroller to reserve \$83.2 million of General Fund revenue received under ARPA for home and community-based services in FY 22 to be used for federal revenue collections in FY 23

[§ 473 — REVENUE TRANSFER FROM FY 22 TO FY 23](#)

Requires the comptroller to transfer \$125 million of FY 22 General Fund resources for use in FY 23

[§§ 474-481 — REVENUE ESTIMATES](#)

Modifies previously adopted revenue estimates for FY 23

[§ 482 — DOH RENT BANK GRANT ASSISTANCE](#)

Increases the maximum amount of grant assistance families may receive under DOH's Rent Bank Program and eliminates a related eligibility requirement

[§ 483 — SALES TAX REMITTANCE FOR CERTAIN MARKETPLACE FACILITATORS](#)

Exempts marketplace facilitators that facilitate passenger motor vehicle and truck rentals on behalf of rental companies from sales tax collection and remittance requirements on behalf of these sellers

[§§ 484-488 — PROTECTIONS FOR REPRODUCTIVE AND GENDER-AFFIRMING HEALTH CARE SERVICES IN THE STATE](#)

Establishes a cause of action for persons against whom there is an out-of-state judgment based on reproductive and gender-affirming health care services; limits the assistance officers of Connecticut courts, public agencies, and certain health care providers may deliver in actions related to reproductive or gender-affirming health care services that are legal in this state

[§ 489 — PROVIDERS AUTHORIZED TO PERFORM ABORTIONS](#)

Allows APRNs, nurse-midwives, and PAs to perform aspiration abortions; explicitly authorizes these providers to perform medication abortions, conforming to a 2001 attorney general opinion; makes related changes

[§ 490 — ARPA FUNDS FOR SCHOOL-BASED HEALTH CENTERS](#)

Specifies the allocation of ARPA funding for four school-based health centers

[§ 491 — MINIMUM BUDGET REQUIREMENT \(MBR\) EXEMPTION](#)

Exempts Stratford's school board from the MBR in FY 23

[§ 492 — SCHOOL CONSTRUCTION MINIMUM REIMBURSEMENT RATES FOR CERTAIN TOWNS](#)

Creates a minimum school construction reimbursement grant rate for certain towns

[§§ 493-496 — CHILDHOOD IMMUNIZATION REGISTRY AND TRACKING SYSTEM](#)

OLR PUBLIC ACT SUMMARY

Replaces DPH's childhood immunization registry and tracking system ("CIRTS") with an immunization information system ("CT WiZ") that provides access to a person's own immunization records to all recipients, instead of only children under age six

§§ 497-509 — MOTOR VEHICLE ASSESSMENTS

Changes motor vehicle property tax assessment laws, principally to (1) exempt certain snowmobiles, all-terrain vehicles, and utility trailers; (2) value motor vehicles based on the manufacturer's suggested retail price (MSRP) and a 20-year depreciation schedule; (3) increase the frequency with which DMV must provide motor vehicle registration information to municipalities; (4) modify the timeline for supplemental property taxes on vehicles registered after the start of the assessment year; (5) give taxpayers more time to claim a property tax credit for motor vehicles that were stolen, sold, totaled, or moved out of state; and (6) require taxpayers to include on personal property declarations motor vehicles that are included in a schedule of motor vehicle plate classes established by OPM

§§ 510-512 — BOWLING ESTABLISHMENT PERMITS

Makes minor, technical, and conforming changes to replace references to obsolete permits that no longer exist (e.g., bowling establishment permits) with references to the recently restructured club and nonprofit club permits

§ 517 — STATE CONTRACTING STANDARDS BOARD LAPSE REPEAL

Repeals a 2021 implementer provision requiring a partial lapse of SCSB's FY 23 appropriation

§§ 1-9 — FY 23 APPROPRIATIONS

Increases FY 23 appropriations for eight appropriated funds

The act increases FY 23 appropriations for state agency operations and programs for eight of the state's appropriated funds, as shown in the table below.

Changes in FY 23 Net Appropriations by Fund

§	Fund	FY 23 Net Appropriation		
		Prior Law	Act	Increase
1	General Fund	\$21,534,334,736	\$22,089,151,832	\$554,817,096
2	Special Transportation Fund	1,809,830,975	1,826,161,303	16,330,328
3	Mashantucket Pequot and Mohegan Fund	51,472,796	51,481,796	9,000
4	Banking Fund	29,521,021	29,710,672	189,651
5	Insurance Fund	122,471,874	123,155,240	683,366
6	Consumer Counsel and Public Utility Control Fund	30,976,441	32,716,567	1,740,126
7	Workers' Compensation Fund	26,955,096	27,257,008	301,912
8	Criminal Injuries Compensation Fund	2,934,088	2,934,088	0
9	Tourism Fund	13,069,988	13,444,253	374,265

OLR PUBLIC ACT SUMMARY

EFFECTIVE DATE: July 1, 2022

§§ 10-11 & 58 — ARPA ALLOCATION ADJUSTMENTS

Modifies ARPA funding allocations for FYs 22-24 and adds new allocations for FY 25

The act adjusts federal American Rescue Plan Act (ARPA) funding allocations for FYs 22-24 and adds new allocations for FY 25. The adjustments result in a net increase of \$1.7523 billion in new allocations for a range of initiatives and programs. (PA 22-146, §§ 1 & 17, makes additional adjustments to the allocations and a technical correction that result in no net change to the total.)

Additionally, the act requires that any of the amounts allocated from ARPA's Coronavirus State Fiscal Recovery Fund allocations, made under the FY 22-23 budget act or this act, remain available for expenditure until December 31, 2026.

EFFECTIVE DATE: Upon passage

§§ 12-55 — CARRYFORWARDS AND TRANSFERS

Modifies and expands carryforwards and transfers of FY 20-21 appropriations in the FY 22-23 budget act and requires that these amounts not lapse and continue to be available during FY 23; carries forward to FY 23 various unspent balances from FY 22 and transfers specified amounts to other agencies and accounts; transfers designated amounts from the General Fund and community investment account to other purposes for FY 22 and FY 23, respectively

Funds Carried Forward and Transferred From FY 20-21 Appropriations (§ 12)

The FY 22-23 budget act carried forward unspent balances from FY 20-21 appropriations for designated accounts and transferred them to specified purposes in FYs 22 and 23. This act modifies some of these transfers and adds new ones, as shown in the tables below.

Under the act, any of these amounts transferred and made available for FY 22 must not lapse and instead must continue to be available for the same purpose during FY 23. If any of these unspent balances are not transferred to the specified purposes, the funds must not lapse in FY 22 and instead must continue to be available in FY 23 for their original purpose (i.e., the same purpose as they were available for during FY 21).

Like prior law, the act makes the transferred amounts ineligible for fringe benefit recovery from the state comptroller's General Fund fringe benefit accounts by UConn, the UConn Health Center, or Connecticut State Colleges and Universities (CSCU).

OLR PUBLIC ACT SUMMARY

Adjustments to Uses of the Funds Carried Forward From FY 20-21

§	FY 22-23 Budget Act			This Act
	Agency	Amount (up to) and FY	Account and Purpose	
12(b)(2)	Office of Policy and Management (OPM)	\$13,150,000 in each of FY 22 and 23	Private Providers: Cost-of-living adjustment (COLA) for private providers of state-administered human services in various contracting agencies	Clarifies that the COLA is directed to the private providers, rather than state agency employees that provide these services
12(b)(15)	Department of Energy and Environmental Protection (DEEP)	\$5,000,000 in FY 22	Solid Waste Management: establish and administer a program to support solid waste reduction strategies, including a redemption center grant program	(1) Extends the carryforward to FYs 23 and 24 and (2) allows DEEP to use a portion of the funds to contract with independent third parties with expertise in solid waste management and infrastructure, including anaerobic digestion, to provide services to the department and municipalities (e.g., technical assistance and consulting)
12(b)(24)	Department of Agriculture (DoAg)	\$250,000 in each of FY 22 and 23	Other Expenses: Connecticut Veterinary Medical Diagnostic Laboratory	(1) Transfers the carryforward from DoAg to UConn and (2) limits it to up to \$250,000 in FY 23
12(b)(37)	DEEP	\$3,000,000 in FY 22	Other Expenses: grants to the Eastern Pequot, Schaghticoke, and Golden Hill Paugussett tribes for specified purposes	Directs the prior \$1 million grant to the Schaghticoke Tribe for design and construction of a cemetery retaining wall to the Schaghticoke Tribal Nation for designing and constructing (1) fencing and a stone retaining

OLR PUBLIC ACT SUMMARY

§	FY 22-23 Budget Act			This Act
	Agency	Amount (up to) and FY	Account and Purpose	
				wall on cemetery grounds, (2) bathroom and storage facilities, and (3) a well and septic system
12(b)(44)	Department of Economic and Community Development (DECD)	\$6,150,000 in FY 22 and \$5,050,000 in FY 23	Other Expenses: various grants	<p>Redirects the following grant amounts:</p> <ul style="list-style-type: none"> • \$100,000 in each of FY 22 and 23 to Queer Youth Programming of CT, rather than True Colors, Inc. • \$35,000 in each of FY 22 and 23 to New Covenant Center, rather than Covenant Center – Stamford • \$100,000 in each of FY 22 and 23 to Boys & Girls Club of Southeastern Connecticut, rather than the New London Boys and Girls Club • \$250,000 in each of FY 22 and 23 to Charter Oak Temple Restoration Association, Inc., rather than Youth Arts • \$50,000 in each of FY 22 and 23 to Justice Education Center, rather than Justice Action Center • \$15,000 in each of FY 22 and 23 to Schoke Jewish Family Services,

OLR PUBLIC ACT SUMMARY

§	FY 22-23 Budget Act			This Act
	Agency	Amount (up to) and FY	Account and Purpose	
				rather than Stocke Jewish Center

Additional FY 23 Uses of the Funds Carried Forward From FY 20-21

§	Agency	Account and Purpose	Amount (up to)
12(b)(47)	Secretary of the State	Other Expenses: elections security and a public education campaign	\$2,000,000
12(b)(48)	OPM	Reserve for Salary Adjustments: support accrued wage payouts and increase funding for state employees and National Guard premium pay	28,861,306
12(b)(49)	Department of Administrative Services (DAS)	Workers' Compensation Claims: claims settlement	15,000,000
12(b)(50)	Department of Emergency Services and Public Protection (DESPP)	Other Expenses: police and public safety officer training	500,000
12(b)(51)	Department of Labor (DOL)	Personal Services: unemployment system restructuring	459,159
12(b)(52)	DOL	Other Expenses: unemployment system restructuring	200,000
12(b)(53)	DOL	Other Expenses: enhanced employee wage record reporting	235,000
12(b)(54)	Commission on Human Rights and Opportunities (CHRO)	Personal Services: durational staff	441,320
12(b)(55)	CHRO	Other Expenses: affirmative action process automation	200,000
12(b)(56)	Department of Public Health	Other Expenses: information technology costs related to water well oversight	50,000
12(b)(57)	Office of Early Childhood (OEC)	Nurturing Families Network: home visiting program	1,000,000
12(b)(58)	UConn	Operating Expenses: 27th payroll	7,991,695
12(b)(59)	UConn Health Center	Operating Expenses: 27th payroll	5,129,011
12(b)(60)	UConn Health Center	AHEC: 27th payroll	14,455

OLR PUBLIC ACT SUMMARY

§	Agency	Account and Purpose	Amount (up to)
12(b)(61)	CSCU	Community Technical College System: 27th payroll	4,866,346
12(b)(62)	CSCU	Connecticut State University: 27th payroll	5,026,555
12(b)(63)	CSCU	Charter Oak State College: 27th payroll	107,099
12(b)(64)	DECD	Other Expenses: nonstop air service to Jamaica	2,000,000
12(b)(65)	DEEP	Personal Services: interim staff support for the federal infrastructure bill's implementation	100,000
12(b)(66)	Governor's Office	Personal Services: interim staff support for the federal infrastructure bill's implementation	100,000
12(b)(67)	Department of Revenue Services (DRS)	Personal Services: interim staff support for the federal infrastructure bill's implementation	200,000
12(b)(68)	OPM	Personal Services: interim staff support for the federal infrastructure bill's implementation	100,000
12(b)(69)	DoAg	Other Expenses: seized animal care	200,000
12(b)(70)	DoAg	Other Expenses: climate smart farming	7,000,000
12(b)(71)	DEEP	Other Expenses: voucher program for (1) medium and heavy-duty zero-emission vehicles and buses and (2) installing electric vehicle charging infrastructure	10,000,000
12(b)(72)	DEEP	Other Expenses: Sustainable Material Management Grant program	5,000,000
12(b)(73)	DAS	Other Expenses: state property maintenance	915,460
12(b)(74)	Department of Transportation (DOT)	Personal Services: interim staff support for the federal infrastructure bill's implementation	100,000
12(b)(75)	Auditors of Public Accounts	Personal Services: accrual payments	200,000
12(b)(76)	Attorney General	Other Expenses: data security consultants	250,000
12(b)(77)	DECD	Other Expenses: grant to Ball and Socket Arts in Cheshire	300,000
12(b)(78)	DECD	Other Expenses: grant to Stepping Stones Museum in Norwalk	100,000

OLR PUBLIC ACT SUMMARY

§	Agency	Account and Purpose	Amount (up to)
12(b)(79)	DECD	Other Expenses: grant to Sprague for streetscape improvements (i.e., the same LED streetlights used in Baltic)	1,300,000
12(b)(80)	DECD	Other Expenses: grant to Amistad Center for Art and Culture of Hartford	100,000
12(b)(81)	Department of Social Services (DSS)	Other Expenses: grant to Mothers United Against Violence	100,000
12(b)(82)	State Department of Education (SDE)	Other Expenses: grant to East Hartford Little League	75,000
12(b)(83)	SDE	Other Expenses: grant to Connecticut Interscholastic Athletic Conference	50,000
12(b)(84)	DECD	Other Expenses: grant to Beta Iota Boule Foundation of West Hartford	100,000
12(b)(85)	UConn	Operating Expenses: certification training for Green SnowPro roadside salt applications	142,000
12(b)(86)	DESPP	Other Expenses: deadly weapon offender registry document management system	95,605
12(b)(87)	OPM	Other Expenses: Housatonic River debris removal	150,000
12(b)(88)	DESPP	Personal Services: durational grant administrator	104,000
12(b)(89)	OEC	Early Child Care Provider Stabilization Payments: wage supplement and child care enhancement grant program	20,000,000
12(b)(90)	DAS	Other Expenses: elevator inspections by individuals having equal or greater qualifications to state elevator inspectors	2,500,000
12(b)(91)	DECD	Other Expenses: Brainard Airport study	1,500,000
12(b)(92)	OPM	Reserve for Salary Adjustments: accrued payouts	11,450,000
12(b)(93)	OPM	Other Expenses: grant to the University of Hartford's Rell Center	50,000
12(b)(94)	DECD	Other Expenses: grant to the Slater Memorial Museum of Norwich	500,000

OLR PUBLIC ACT SUMMARY

Funds Carried Forward to FY 23 (§§ 17-18, 26, 32-33, 35-36 & 38)

The act carries forward to FY 23 various unspent balances appropriated for FY 22. It requires that these funds be used for the same or another purpose by the same agency, as indicated in the table below.

Funds Carried Forward to FY 23 for the Same or Different Purposes

§	Agency	Prior Purpose	New Purpose	Amount
17	Office of Health Strategy	Other Expenses	Biennial statewide health care facilities and services plan	Up to \$400,000
18(a)	DOT	Rail Operations	Pay-As-You-Go Transportation Projects: matching funds for projects funded in whole or part by the federal Infrastructure Investment and Jobs Act	Up to \$50,000,000
18(b)	DOT	Bus Operations	Pay-As-You-Go Transportation Projects: matching funds for projects funded in whole or part by the federal Infrastructure Investment and Jobs Act	Up to \$50,000,000
26	Judicial Department	Counsel for Domestic Violence	Same	Unspent balance
32	Workers' Compensation Commission	Personal Services	Same	Up to \$200,000
33	Judicial Department	Justice Education Center	Career pathways program	Up to \$150,000
35	DOL	Other Expenses	Domestic workers education training grants	Unspent balance
36	Judicial Department	Other Expenses	Same	Unspent balance
38	DOT	Personal Services	Public safety related to free bus services	Up to \$780,000

Funds Carried Forward and Transferred (§§ 13-14, 19-25, 27-31, 34, 39-54)

The act carries forward to FY 23 various unspent balances from FY 22 and transfers the amounts to the agencies and accounts shown in the table below.

OLR PUBLIC ACT SUMMARY

Funds Carried Forward and Transferred

\$	Transferred From		Transferred To		Amount (up to)
	Agency	Purpose	Agency	Purpose	
13	DSS	Medicaid	OPM	Reserve for Salary Adjustments: accrued leave payouts	\$9,688,694
14	DSS	Medicaid	DOL	Personal Services: personal services and fringe benefit costs for DOL staff for the unemployment insurance program's increased caseload due to the COVID-19 pandemic*	25,000,000
19	DSS	Medicaid	SDE	Operating Expenses: social workers study	150,000
20	DSS	Medicaid	SDE	Operating Expenses: study on mental health issues in high school athletes	100,000
21	DSS	Medicaid	Department of Mental Health and Addiction Services (DMHAS)	Operating Expenses: gaming study	1,250,000
22	DSS	Medicaid	DoAg	Operating Expenses: Grant to Brass City Food Hub in Waterbury	125,000
23	Office of Legislative Management (OLM)	Personal Services	OLM	Operating Expenses: removal of John Mason statute from the State Capitol building	100,000
24	DSS	Medicaid	OPM	Reserve for Salary Adjustments: non-union wage adjustments	23,000,000

OLR PUBLIC ACT SUMMARY

§	Transferred From		Transferred To		Amount (up to)
	Agency	Purpose	Agency	Purpose	
25	DSS	Medicaid	Judicial Department	Operating Expenses: study of inmate mental health by the Connecticut Sentencing Commission, in consultation with the Institute for Municipal and Regional Policy	500,000
27	Office of the State Comptroller (OSC)	Fringe Benefits for Pensions and Retirements – Other Statutory	Board of Regents	Community Technical Colleges: e-commerce training program	65,000
28	OSC	Fringe Benefits for Pensions and Retirements – Other Statutory	SDE	Operating Expenses: Unified School District 1 study	50,000
29	OSC	Fringe Benefits for Pensions and Retirements – Other Statutory	DESPP	Operating Expenses: police crisis intervention training	100,000
30	OSC	Fringe Benefits for Pensions and Retirements – Other Statutory	DECD	Operating Expenses: grant to American Legion Post 85 in Baltic	4,000
31	Department of Motor Vehicles	Personal Services	DOT	Operating Expenses: Connecticut Port Authority dredging study	3,000,000
34	DSS	Medicaid	DECD	Other Expenses: Coast Guard Academy's Office of Military Affairs library	1,000,000

OLR PUBLIC ACT SUMMARY

§	Transferred From		Transferred To		Amount (up to)
	Agency	Purpose	Agency	Purpose	
39	DSS	Medicaid	DSS	Community Residential Services: group home workers	16,500,000
40	DSS	Husky B Program	N/A	Connecticut premium pay account	1,000,000
41	DSS	State Administered General Assistance Program	N/A	Connecticut premium pay account	2,000,000
42	DSS	Temporary Assistance to Needy Families Program	N/A	Connecticut premium pay account	3,000,000
43	Department of Correction	Inmate Medical Services	N/A	Connecticut premium pay account	10,000,000
44	OSC	Unemployment Compensation Program	N/A	Connecticut premium pay account	3,000,000
45	OSC	Employers Social Security Tax	N/A	Connecticut premium pay account	4,000,000
46	OSC	Other Post Employment Benefits	N/A	Connecticut premium pay account	5,000,000
47	OSC	SERS Defined Contribution Match	N/A	Connecticut premium pay account	2,000,000
48	SDE	Magnet Schools	UConn	Operating Support: temporary operating support	5,000,000
49	SDE	Open Choice	UConn	Operating Support: temporary operating support	2,500,000
50	Department of Housing (DOH)	Housing Homeless Services	UConn Health Center	Operating Support: temporary operating support	4,500,000

OLR PUBLIC ACT SUMMARY

\$	<i>Transferred From</i>		<i>Transferred To</i>		<i>Amount (up to)</i>
	<i>Agency</i>	<i>Purpose</i>	<i>Agency</i>	<i>Purpose</i>	
51	DSS	Personal Services	UConn Health Center	Operating Support: temporary operating support	3,000,000
52	DSS	Husky B Program	OLM	Personal Services: additional personal services	3,000,000
53	Division of Criminal Justice	Personal Services	DRS	Other Expenses: child care tax credit administration	375,000
54	DMHAS	Personal Services	DEEP	Personal Services: durational staff	1,500,000

*§ 14: The act makes these funds ineligible for fringe benefit recovery from the state comptroller's General Fund fringe benefit accounts. PA 22-146, § 2, additionally authorizes the funds to be used for indirect overhead costs for these staff.

Transfers From the General Fund (§§ 15 & 16)

The act transfers \$20.8 million from the General Fund for FY 22 to specified accounts and funds, as shown in the following table.

FY 22 Transfers From the General Fund

\$	<i>Account or Fund</i>	<i>Amount</i>
15	Firefighters cancer relief account	\$800,000
16	UConn Health Center Medical Malpractice Trust Fund	20,000,000

Transfers From the Community Investment Account (§ 55)

The act transfers \$20 million in FY 23 from the community investment account for the agencies and purposes shown in the following table.

FY 23 Transfers From the Community Investment Account

<i>Agency</i>	<i>Purpose</i>	<i>Amount</i>
DoAg	Implement a farm manure management system program	\$5,000,000
DOH	Eviction prevention: <ul style="list-style-type: none"> Project longevity housing vouchers in Hartford, Waterbury, Bridgeport, and New Haven (\$2,000,000) Rent bank (\$1,500,000) Coordinated access networks (\$1,500,000) 	5,000,000
DECD	Historic preservation	5,000,000
DEEP	Open space	5,000,000

EFFECTIVE DATE: Upon passage

§ 37 — ALLOTMENT REDUCTIONS

Prohibits the OPM secretary from reducing allotments to implement budgeted lapses if the budget is projected to be in surplus

The act prohibits the OPM secretary from reducing allotments to implement budgeted lapses if the budget is projected to be in surplus.

EFFECTIVE DATE: Upon passage

§ 56 — OPEN CHOICE PROGRAM NONLAPSING FUNDS

Requires the SDE commissioner to use certain nonlapsing funds from the Open Choice program to provide a grant to the Legacy Foundation of Hartford, Inc.

By law, when student enrollment in Open Choice is less than the number for which funds are appropriated, the excess funds do not lapse but remain available for supplemental grants to receiving districts. By law, the SDE commissioner must use the (1) first \$500,000 of any excess funds for supplemental grants to districts that have at least 10 Open Choice students attending the same school and (2) next \$500,000 for supplemental pro rata grants to receiving districts that report to the commissioner before March 1 that they have enrolled more Open Choice students than they did the year before.

The act requires the SDE commissioner to use any of the latter pool of funds to provide a grant to the Legacy Foundation of Hartford, Inc., to provide wrap-around services for students participating in the Open Choice program. However, it does not supersede the existing requirement for the commissioner to use these funds to make the supplemental pro rata grants.

EFFECTIVE DATE: July 1, 2022

§ 57 — CONNECTICUT SUMMER AT THE MUSEUM PROGRAM GRANTS

Reserves at least \$3.5 million of ARPA funding allocated to DECD for specified grants to for-profit entities as part of the Connecticut Summer at the Museum program

The act reserves, from the ARPA funding allocated to DECD for the Connecticut Summer at the Museum program, at least \$3.5 million for grants to for-profit entities as part of the program.

EFFECTIVE DATE: July 1, 2022

§ 59 — TRIBAL GRANTS

Requires the OPM secretary to distribute \$3,000 grants from the Mashantucket Pequot and Mohegan Fund to three tribes for FY 23

The act requires the OPM secretary to distribute a \$3,000 grant to each of the Schahticoke, Paucatuck Eastern Pequot, and Golden Hill Paugusset tribes in FY

23. He must distribute the grants from the Mashantucket Pequot and Mohegan Fund in addition to any payments made to towns from the fund. The tribes must use the grants to manage their properties, but may not use them in connection with any legal claim against the state or federal government.

EFFECTIVE DATE: Upon passage

§ 60 — YOUTH SERVICES PREVENTION GRANTS

Modifies the list of Youth Services Prevention grant recipients and amounts for FY 23

The act modifies the list of Youth Services Prevention grant recipients and amounts for FY 23.

EFFECTIVE DATE: Upon passage

§ 61 — PLAN FOR FEDERAL REIMBURSEMENT OF LEGAL REPRESENTATION IN CHILD PROTECTION PROCEEDINGS

Requires DCF and the Division of Public Defender Services to develop a plan for receiving federal reimbursement of legal representation in child protection proceedings and enhancing this representation; authorizes the OPM secretary to make up to \$150,000 available to the division for specified proceedings

The act requires DCF and the Division of Public Defender Services to jointly develop a plan to achieve federal reimbursement of legal representation in child protection proceedings and enhance this representation. The plan must include (1) recommendations for any necessary interagency agreement and legislation, (2) a projected budget, and (3) an implementation schedule. The agencies must submit the plan to the OPM secretary by January 1, 2023.

Upon receiving the plan, the secretary may make up to \$150,000 available to the division for assigned legal counsel for a child or youth participating in a considered removal child and family team meeting. The meeting may be convened by DCF, the child's or youth's parent or guardian, or another person with custody or control of the child or youth.

EFFECTIVE DATE: Upon passage

§ 62 — YOUTH SERVICE BUREAU AND JUVENILE REVIEW BOARD PLAN

Requires DCF to develop a plan to expand coverage and improve outcomes for youth service bureaus and juvenile review boards; authorizes the OPM secretary to make up to \$2 million of ARPA funding available to DCF to implement the plan

The act requires DCF to develop a plan to expand coverage and improve outcomes for youth service bureaus and juvenile review boards in the state. The plan must include recommendations to (1) expand their coverage to all municipalities, (2) increase the adoption of evidence-based and quality assurance practices, (3) provide staff training, and (4) develop a data collection and reporting system.

OLR PUBLIC ACT SUMMARY

By August 1, 2022, DCF must submit the plan to the OPM secretary and Juvenile Justice Policy and Oversight Committee. Upon receiving the plan, the OPM secretary may make up to \$2 million of DCF's FY 23 ARPA allocation available for its implementation.

EFFECTIVE DATE: Upon passage

§ 63 — CONNECTICUT PORT AUTHORITY STUDY

Requires the Connecticut Port Authority to study specified port and harbor-related issues and report its findings to the Environment and Appropriations committees by January 1, 2023

The act requires the Connecticut Port Authority to study (1) the beneficial re-use of dredge materials, (2) marsh restoration, (3) upland mitigation projects, (4) island creation and resilience, and (5) the use of CAD cells in major ports and harbors along the state's coastline. The authority must submit the study report by January 1, 2023, to the Environment and Appropriations committees.

EFFECTIVE DATE: Upon passage

§ 64 — MONTHLY OPM REPORT ON CARRYFORWARDS AND ARPA ALLOCATIONS

Requires the OPM secretary to submit a monthly status report to the Appropriations Committee on the carryforwards and ARPA allocations under the FY 22-23 budget and implementer acts

For FY 23, the act requires the OPM secretary to submit monthly status reports to the Appropriations Committee on the (1) amounts carried forward and transferred from FYs 21 or 22 under the FY 22-23 budget and implementer acts and (2) ARPA allocations under these acts. He must submit the reports by the 15th of each month during the fiscal year. (PA 22-146, § 3, requires that he do so by the 25th of each month instead.)

EFFECTIVE DATE: Upon passage

§ 65 — JUDICIAL DEPARTMENT FY 23 ALLOTMENTS FOR VICTIM SERVICE PROVIDERS

Limits the allotment of FY 23 General Fund appropriations and ARPA allocations to the Judicial Department for enhanced funding for victim service providers

The act limits the allotment of FY 23 General Fund appropriations and ARPA allocations to the Judicial Department for enhanced funding for victim service providers. Under the act, these funds may be allotted only up to the actual amount by which the department's federal victim assistance grants (under the Victims of Crime Act Assistance of 1984) are reduced for FY 23.

EFFECTIVE DATE: Upon passage

§ 66 — CORONAVIRUS CAPITAL PROJECTS FUND GRANT APPLICATION

OLR PUBLIC ACT SUMMARY

Requires the OPM secretary to apply to the U.S. Department of the Treasury by January 1, 2023, for certain grant funding under ARPA's Coronavirus Capital Projects Fund program

By January 1, 2023, the act requires the OPM secretary to apply to the U.S. Department of the Treasury for certain grant funding under ARPA's Coronavirus Capital Projects Fund program. Specifically, he must apply for grants of (1) \$20 million to build a full-service community adult education center in New Haven and (2) \$5 million to build a library in Manchester providing internet access and health monitoring for the public.

EFFECTIVE DATE: Upon passage

§ 67 — LEGISLATIVE BRANCH CONTRACTING PROCEDURES

Sets procedural requirements that the Office of Legislative Management must follow when entering into certain goods and services contracts

The act sets procedural requirements that OLM must follow when entering into goods and services contracts (i.e., those for supplies, materials, equipment, and contractual services) that exceed \$50,000. Under the act, OLM must submit the proposed contract to the legislative leaders (i.e., the House speaker, Senate president pro tempore, and the House and Senate majority and minority leaders). OLM may enter into the contract (1) upon written approval of a majority of the leaders, including at least one minority leader, or (2) 60 days after it submits the contract to the leaders if they take no action.

The act's provisions do not apply to (1) minor nonrecurring and emergency purchases of \$10,000 or less and (2) emergency purchases due to (a) extraordinary conditions or contingencies that could not reasonably be foreseen and guarded against or (b) unusual trade or market conditions.

EFFECTIVE DATE: Upon passage

§ 68 — OFFICE OF AQUATIC INVASIVE SPECIES

Creates an Office of Aquatic Invasive Species within the Connecticut Agricultural Experiment Station; sets out office responsibilities; requires a department head to be hired by September 1, 2022

The act creates the Office of Aquatic Invasive Species within the Connecticut Agricultural Experiment Station (CAES). The CAES board of control must determine the office's staffing and hire a department head by September 1, 2022. The act enumerates the office's responsibilities (see below), including coordinating research efforts for aquatic invasive species (AIS) control and eradication. However, the act prohibits the office from issuing permits or fines.

EFFECTIVE DATE: July 1, 2022

Office Responsibilities

Under the act, the Office of Aquatic Invasive Species must do the following:

1. coordinate research efforts in the state associated with AIS control and

- eradication to reduce duplication of efforts and costs;
2. be a repository for statewide data on the health of rivers, lakes, and ponds in relation to the presence of AIS;
3. regularly survey the health and ecological viability of the state waterways in relation to the presence and threat of AIS;
4. educate the public about aquatic invasive plants and steps the public can take to reduce their impact;
5. advise municipalities on AIS management; and
6. be a liaison among organizations and state agencies (such as Department of Energy and Environmental Protection, Department of Agriculture, U.S. Army Corps of Engineers, Connecticut Federation of Lakes and Ponds Associations, U.S. Fish and Wildlife Service, municipal inland wetlands commissions, Connecticut River Conservancy, and councils of governments) for AIS control and eradication issues.

The act requires the office to coordinate its efforts and responsibilities with the state's Invasive Plants Council. (By law, the Invasive Plants Council, among other things, publishes a list of invasive or potentially invasive plants; researches the control of invasive plants; and educates the public on problems with invasive plants (CGS § 22a-381a).)

§§ 69 & 70 — COLLABORATIVE DRUG THERAPY

Makes various changes in state law affecting collaborative drug therapy agreements between certain health care practitioners and pharmacists

The act makes various changes in state law affecting collaborative drug therapy agreements between certain health care practitioners and pharmacists. Specifically, it does the following:

1. expands the types of practitioners authorized to enter into these agreements to include any prescribing practitioner or caregiving institution ("providers"), instead of only state-licensed physicians and advanced practice registered nurses;
2. expands the types of authorized arrangements to include collaborative drug therapy management policies between pharmacists and caregiving institutions, instead of only collaborative drug therapy agreements between pharmacists and prescribing practitioners;
3. expands pharmacists' authority under these arrangements to include (a) managing drug therapy for patient populations, instead of only individual patients; (b) managing a therapeutic class of drugs, instead of only specified drugs; and (c) managing prescribed medical devices; and
4. requires the Department of Consumer Protection (DCP) commissioner to amend regulations on pharmacist qualifications and requirements for these arrangements to include competency requirements for management policies or care plans and requirements for the minimum content of these arrangements.

Under the act, "prescribing practitioners" are practitioners licensed in Connecticut or another U.S. jurisdiction who have prescriptive authority under their

professional scope of practice. “Care-giving institutions” are institutions that provide medical services and are licensed, operated, certified, or approved by the commissioners of public health (Department of Public Health (DPH)), developmental services, or mental health and addiction services (e.g., hospitals or nursing homes).

“Devices” are instruments, apparatuses, and contrivances, including their components, parts and accessories (except contact lenses), intended to (1) diagnose, cure, mitigate, treat, or prevent disease or (2) affect the body’s structure or function.

The act makes technical and conforming changes, including specifying that a nursing home’s medical director may enter into collaborative drug management policies.

EFFECTIVE DATE: July 1, 2022

Permitted Arrangements

The act authorizes two types of formal arrangements between providers and qualified pharmacists, which must be based on either written protocols or a collaborative drug therapy care plan. These arrangements include the following:

1. “collaborative drug therapy management agreements” similar to those allowed under prior law (i.e., agreements between one or more pharmacists and prescribing practitioners to manage individual patients’, or a patient population’s, drug therapy or prescribed devices) and
2. “collaborative drug therapy management policies” (i.e., written policies adopted by care-giving institutions under which one or more pharmacists manage individual patients’, or a patient population’s, drug therapy or prescribed devices).

Under the act, a “qualified pharmacist” is a DCP-licensed pharmacist who (1) is deemed competent under department regulations and (2) has reviewed the latest edition of the “Pharmacists’ Patient Care Process,” published by the Joint Commission of Pharmacy Practitioners.

“Collaborative drug therapy care plans” are written documents memorializing an agreed-upon approach to achieve a patient’s desired health outcome as determined by one or more pharmacists and one or more prescribing practitioners (“care plans”).

Conditions for Entering Into Arrangements

The act extends prior law’s requirements for entering into collaborative drug therapy agreements to the new agreements, care plans, and policies the act authorizes. So, before entering into an agreement or care plan, or operating under a management policy, a practitioner must establish a provider-patient relationship with the patient or patients who will receive collaborative drug therapy or device management.

Similar to prior law, this is a relationship in which (1) the patient has made a medical complaint, provided his or her medical history, and received a physical examination and (2) there exists a logical connection between the medical

complaint and history, physical examination, and any drug or device prescribed.

The act also requires that each patient's collaborative drug therapy or device management be based on (1) a diagnosis made by the patient's practitioner or (2) a specific test set out in an agreement or policy.

Pharmacists' Authority

Under the act, pharmacists providing collaborative drug therapy management under an agreement or policy may, in keeping with the agreement or policy, (1) (a) initiate, modify, continue, discontinue, or deprescribe a patient's prescribed drug therapy or (b) initiate, continue, discontinue, or deprescribe the use of a device; (2) order associated laboratory tests; and (3) administer drugs.

This scope of authority is generally the same as has been allowed for collaborative drug therapy arrangements, except the act (1) authorizes pharmacists to initiate, rather than implement, a prescribed drug therapy and (2) does not require the specification of the drugs to be managed (see below).

As under prior law for collaborative drug therapy arrangements, the act allows the agreements and policies to specifically address issues that come up during medication reconciliation (i.e., review of all of a patient's current and new medications) or related to polypharmacy (i.e., the simultaneous use of multiple drugs by a patient).

The act specifies that agreements and policies cannot authorize a pharmacist to establish a port to administer parenteral drugs (e.g., IV infusions).

Agreement's or Policy's Contents

Under the act, any written protocol or care plan developed under a collaborative drug therapy agreement or policy must have detailed direction on the pharmacist's permitted actions, including the specific drug or drugs; therapeutic class or classes of drugs; and devices that the pharmacist may manage.

Similar to prior law, the written protocol or care plan must specify the patient population it covers and also the following, among other things:

1. the terms and conditions under which drug therapy or the use of a device may be initiated, modified, or discontinued;
2. when a pharmacist must notify the prescribing practitioner; and
3. the laboratory tests that the pharmacist may order.

Under the act, agreements, policies, protocols, and care plans must be made available to DCP and DPH for inspection, upon request, as prior law required for agreements and written protocols.

Notice to Practitioner and Medical Record Updates

Under the act, as under prior law, if a pharmacist discontinues or deprescribes a drug, he or she must notify the prescribing practitioner within 24 hours and document it in the patient's medical record as specified by any applicable prescribing practitioner's or care-giving institution's policies.

Additionally, any protocol or collaborative drug therapy care plan must be filed in the patient's medical record.

The act eliminates a provision in prior law that required pharmacists to report any encounters within the agreement's scope within 30 days or document them in a shared medical record.

§ 71 — PHARMACIST LICENSE RENEWAL

Makes pharmacist licenses renewable annually, rather than biennially; makes the fee \$100 annually, rather than \$120 biennially

The act (1) requires pharmacists to renew their licenses annually, rather than biennially, and (2) increases the licensure renewal fee, making it \$100 annually, rather than \$120 biennially. By law, pharmacists are licensed by DCP.
EFFECTIVE DATE: July 1, 2022

§§ 72-74 — RESERVED SECTIONS

Reserved sections

§§ 75 & 514 — PAYMENTS TO VOLUNTEER FIRE COMPANIES

Requires the state, within available appropriations, to pay volunteer fire companies \$500 for each call they respond to on designated highways

The act requires the State Fire Administrator to pay, within available appropriations, \$500 per call to volunteer fire companies responding to calls on (1) limited access highways; (2) the section of the Berlin Turnpike that begins at the end of the Wilbur Cross Parkway in Meriden and extends north along Route 15 to the South Meadows Expressway in Wethersfield; and (3) the section of Route 8 in Beacon Falls within the Naugatuck State Forest (§ 75). (PA 22-146, §§ 14 & 27, repealed this provision and replaced it with a similar one that additionally prohibits municipalities that provide funding to volunteer fire companies from reducing it based on these state payments.)

The act also eliminates the Limited Access Highway Reimbursement Program, which is a defunct supplemental grant award remittance program (§ 514). Under prior law, this program paid volunteer fire companies \$100 per call for providing emergency response services on the same highways described above (CGS § 7-323r).

EFFECTIVE DATE: July 1, 2022

§ 76 — LEGALIZED GAMBLING STUDY

Transfers responsibility for the mandated legalized gambling study from DCP to DMHAS and requires the next study to be completed by August 1, 2023; authorizes the DMHAS commissioner to select a contractor to conduct the study; and expands the study's required components

The act (1) transfers responsibility for the mandated study on legalized

gambling's effects on Connecticut residents from DCP to DMHAS and (2) resets the deadline for subsequent studies.

Prior law required DCP to conduct this study as often as the commissioner deemed necessary but at least every 10 years. (The last study was conducted in 2009.) The act instead requires the DMHAS commissioner to conduct the next study by August 1, 2023, every 10 years thereafter, and at other times as she deems necessary. It also authorizes the commissioner to select a contractor to conduct the study.

Under existing law, the study must look at the types of gambling the public does and the desirability of expanding, maintaining, or reducing the amount of legalized gambling the state allows. The act additionally requires that each study be informed by the most recently completed study's findings on the effects of legalized gambling. It also requires the DMHAS commissioner or contractor to do the following:

1. consider data from other states to inform recommendations on best practices and proposed regulatory changes;
2. review available data to assess the problem gaming resources available in Connecticut; and
3. consult with stakeholders, including elected and appointed government officials, nongovernmental and charitable organizations, municipal officials, businesses, and entities engaged in legalized gambling activities in Connecticut, to inform the study analysis.

The commissioner must submit the study's findings and its cost to the Public Safety and Security Committee.

EFFECTIVE DATE: Upon passage

§ 77 — RESIDENT STATE TROOPER FRINGE FUNDING

Beginning FY 23, increases, from 50% to 100%, the portion of the state employees' retirement system fringe recovery rate attributable to the system's unfunded liability that the comptroller must annually pay

By law, a town participating in the resident state trooper program pays, among other things, 100% of the overtime costs and the portion of fringe benefits directly associated with these costs. Under prior law, the comptroller had to pay 50% of the portion of the state employees' retirement system fringe recovery rate attributable to the system's unfunded liability. Beginning FY 23, the act requires her to annually pay 100% of this rate. As under prior law, the payment must come from the resources appropriated for State Comptroller-State Employees' Retirement System Unfunded Liability.

EFFECTIVE DATE: July 1, 2022

§ 78 — RURAL SPEED ENFORCEMENT GRANT PROGRAM

Requires DESPP to administer a grant program, within available resources, to provide grants to eligible municipalities for speed enforcement on rural roads

OLR PUBLIC ACT SUMMARY

Beginning July 1, 2022, the act requires DESPP, within available resources, to administer a municipal grant program for speed enforcement activities on rural roads. Municipalities eligible for grants under the act are those with a population of less than 25,000 and that have a law enforcement unit or resident state trooper. They must apply to the program as DESPP prescribes.

The act caps program grants at \$5,000 but allows eligible municipalities to receive up to 10 grants. DESPP must continue to award grants until all resources dedicated to the program are spent.

EFFECTIVE DATE: Upon passage

§ 79 — HEALTH CARE PROVIDER LOAN REIMBURSEMENT PROGRAM

Requires OHE, by January 1, 2023, to establish a program to provide loan reimbursement grants to certain health care providers

The act requires the Office of Higher Education (OHE), by January 1, 2023, to establish a program to provide loan reimbursement grants to DPH-licensed health care providers employed full-time in the state. Under the act, individuals may apply to OHE for the grants at the time and in the manner the executive director determines.

Eligibility Requirements

The act requires the OHE executive director, in consultation with DPH, to develop eligibility requirements for grant recipients, which may include income guidelines. Under the act, at least 20% of the grants must be awarded to regional community-technical college graduates. The executive director must consider health care workforce shortage areas when developing the eligibility requirements.

Loan Reimbursements

Under the act, qualified individuals must be reimbursed on an annual basis for qualifying student loan payments in amounts the OHE executive director determines. The act limits reimbursement to only the loan payments the health care provider made while employed full-time in the state as a health care provider.

Gifts, Grants, and Donations

The act authorizes OHE to accept gifts, grants, and donations from any public or private source for the health care provider loan reimbursement program.

EFFECTIVE DATE: Upon passage

§ 80 — COMMUNITY GUN VIOLENCE INTERVENTION AND PREVENTION PROGRAM

OLR PUBLIC ACT SUMMARY

Requires DPH to establish a community gun violence intervention and prevention program and annually report to the Public Health Committee, starting by January 1, 2023, on the program's activities

The act requires DPH to establish a community gun violence intervention and prevention program to do the following:

1. fund and support the growth of evidence-informed, community-centric community violence and gun violence prevention and intervention programs in the state;
2. strengthen partnerships among the community and state and federal agencies involved in community violence prevention and intervention;
3. collect, and make publicly available, timely data on firearm-involved injuries and deaths;
4. evaluate the effectiveness of the violence and prevention strategies the program implements;
5. determine community-level needs by engaging with communities impacted by gun violence; and
6. secure state, federal, and other funds to reduce community gun violence.

The act requires the DPH commissioner, starting by January 1, 2023, to annually report to the Public Health Committee on the program's activities during the preceding 12 months.

EFFECTIVE DATE: Upon passage

§ 81 — COMMISSION ON COMMUNITY GUN VIOLENCE INTERVENTION AND PREVENTION

Establishes a Commission on Community Gun Violence Intervention and Prevention within DPH for administrative purposes only to advise the commissioner on programs and strategies to reduce the state's community gun violence; requires the commission to annually report its activities to the commissioner and the Public Health Committee starting by January 1, 2023

The act establishes a 23-member Commission on Community Gun Violence Intervention and Prevention to advise the DPH commissioner on developing evidence-based, evidenced-informed, community-centric gun programs and strategies to reduce community gun violence in the state. The commission is within DPH for administrative purposes only.

Under the act, the commission must advise DPH on developing criteria for grant opportunities that arise through the department's community gun violence intervention and prevention program (see § 80).

EFFECTIVE DATE: Upon passage

Members

Under the act, the commission consists of the following 23 members:

1. one representative each from the Connecticut Hospital Association and Compass Youth Collaborative, appointed by the House speaker;
2. one representative each from the Connecticut Violence Intervention Program and Regional Youth Adult Social Action Partnership, appointed

- by the Senate president pro tempore;
- 3. one representative each from Hartford Communities That Care, Inc. and CT Against Gun Violence, appointed by the House majority leader;
- 4. one representative each from Project Longevity and the Saint Francis Hospital and Medical Center, appointed by the Senate majority leader;
- 5. one representative from Yale New Haven Hospital, appointed by the House minority leader;
- 6. one representative of Hartford Hospital, appointed by the Senate minority leader;
- 7. one representative of the Greater Bridgeport Area Prevention Program, appointed by the Public Health Committee House chairperson;
- 8. one representative of a community gun violence reduction program, appointed by the Public Health Committee Senate chairperson;
- 9. one representative of the Health Alliance for Violence Intervention, appointed by the Commission on Women, Children, Seniors, Equity and Opportunity's (CWCSEO) executive director;
- 10. two members appointed by the DPH commissioner;
- 11. one faculty member at an academic institution with experience in gun violence prevention and one advocate for violent crime survivors, appointed by the Governor;
- 12. one member employed as the highest-ranking police officer of a Connecticut municipal police department, appointed by the House minority leader;
- 13. one youth representative of a group that advocates on behalf of justice-involved youth, appointed by the Senate minority leader;
- 14. the DPH commissioner; and
- 15. the children and families and social services commissioners and CWCSEO executive director or their designees.

Under the act, the members of the Gun Violence Intervention and Prevention Advisory Committee established under PA 21-35 (§ 9) serve as the commission's initial appointed members under the first 10 entries on the list above. The act requires appointing authorities to appoint individuals to the commission who represent the state's geographic communities that experience gun violence.

Leadership, Meetings, and Procedure

The act requires the DPH commissioner to serve as the commission chairperson and schedule the commission's first meeting to be held by July 6, 2022.

Under the act, a majority of commission members constitutes a quorum for transacting business. Any decision must be made by a majority of members present at the meeting, except that the commission may establish subcommissions, advisory groups, or other entities it deems necessary to further its purposes.

Commission members serve without compensation, but must be reimbursed within available funds for necessary expenses in performing their duties.

Report

The act requires the commission, starting by January 1, 2023, to annually report to the DPH commissioner and Public Health Committee on its activities.

§§ 82-89 — PROVISION OF FREE MENSTRUAL PRODUCTS

Requires (1) certain government agencies and public and private organizations, starting July 1, 2023 or September 1, 2023, to provide free menstrual products to the people they serve and (2) DPH to set guidelines by July 1, 2022, on how to do this

The act requires the DPH commissioner, by July 1, 2022, to (1) set guidelines on how free menstrual products (i.e., tampons and sanitary napkins) may be provided without stigmatizing the people requesting or seeking them and (2) post the guidelines on the department’s website. (It makes a technical change by replacing the term “feminine hygiene” with the term “menstrual” throughout the statutes.)

The act also requires certain government agencies and public or private organizations to provide free menstrual products to the people they serve without stigmatizing them, in accordance with the published DPH guidelines.

York Correctional Institution

By law, York Correctional Institution must provide free menstrual products to inmates upon request. However, starting July 1, 2023, the act requires the institution to do so without stigmatizing the people requesting the products, in accordance with the DPH guidelines.

Other Agencies and Organizations

Under the act, starting July 1, 2023, certain other agencies and organizations must start providing free menstrual products without stigmatizing the individuals requesting the products, in accordance with the DPH guidelines, as follows:

1. public higher education institutions, in at least one designated and accessible central location on each campus, and they must post notice of the location on their websites;
2. school districts acting by the Department of Correction (DOC) commissioner, to individuals confined in any DOC institution and attending a school within the district, upon request and as soon as practicable, in a quantity appropriate to the person’s health needs;
3. public or private homeless shelters that receive grants from the housing commissioner, in each restroom accessible to residents; and
4. domestic violence emergency shelters that receive state funding, in each restroom accessible to residents.

Additionally, local and regional boards of education must do so starting September 1, 2023, in women’s restrooms, all-gender restrooms, and at least one men’s restroom, that are accessible to students in grades three through 12 in each school.

Donations, Grants, and Partnerships

The act allows DOC, local and regional boards of education, public institutions of higher education, and homeless and domestic violence shelters to (1) accept donations of menstrual products and grants from any source to purchase menstrual products and (2) partner with a nonprofit or community-based organization to carry out the act's requirements.

EFFECTIVE DATE: July 1, 2022, except the provision regarding the DPH guidelines and one technical change are effective upon passage.

§ 90 — STATE LIBRARY BOARD CONSULTATION FOR CERTAIN LIBRARY SERVICES

Requires the State Library Board to consult with certain entities before making changes to library services for people with disabilities or who are blind

Existing law requires the State Library Board to create and maintain a library service for people with disabilities or who are blind. The act requires the board to consult with the aging and disability services commissioner, or her designee, and the library's advisory committee for blind and physically disabled persons before making changes that could diminish or substantively change these library services.

EFFECTIVE DATE: July 1, 2022

§ 91 — TRS VALUATIONS

Requires TRS to have an actuarial valuation performed every year, rather than every two years

The act requires the Teachers' Retirement Board to have an actuarial valuation of the Teachers' Retirement System (TRS) performed every year, rather than every two years as prior law required. The valuation must cover the system's assets and liabilities as of each June 30 and be completed before each December 1.

EFFECTIVE DATE: July 1, 2022

§ 92 — EQUITY AND THE GOVERNOR'S BUDGET

Requires the governor's budget document to include an explanation of how its provisions advance efforts to ensure equity in the state

The act requires the governor's budget document to include an explanation of how its provisions advance the governor's efforts to ensure equity in the state. It defines "equity" as efforts, regulations, policies, programs, standards, processes, and any other government functions or legal principles intended to do the following:

1. identify and remedy past and present patterns of discrimination or inequality against, and outcome disparities for, any protected class under the state's anti-discrimination laws;
2. ensure that these patterns, whether intentional or unintentional, are not

OLR PUBLIC ACT SUMMARY

- reinforced or perpetuated; and
3. prevent the emergence and persistence of these patterns in the foreseeable future.

As under existing law, the budget document must also include the governor's recommendations on the economy, including an analysis of the proposed spending and revenue programs' impact on employment, production, and purchasing power of the state's residents and industries.

EFFECTIVE DATE: October 1, 2022

§§ 93 & 94 — MUNICIPAL REVENUE SHARING ACCOUNT (MRSA)

Modifies the distribution schedule for municipal revenue sharing grants made to municipalities from MRSA

By law, OPM must distribute the funds deposited in MRSA for municipal revenue sharing grants. Under prior law, OPM was required to distribute the funds deposited between (1) October 1 and June 30 on the following October 1 and (2) July 1 and September 30 on the following January 31. Beginning in FY 22, the act instead requires funds deposited into the account during a given fiscal year, or accrued to it for a fiscal year but received afterwards, to be distributed by October 1 after the fiscal year's end.

EFFECTIVE DATE: Upon passage for the provision that applies to FYs 22 & 23, and July 1, 2022, for the provision that applies beginning FY 24.

§ 95 — NEW HAVEN'S PAYMENT IN LIEU OF TAXES GRANT

Allows New Haven to update the assessed valuations it submitted to OPM to calculate its FY 23 PILOT grant

The act allows New Haven to update the assessed valuations it submitted to the OPM secretary to calculate the PILOT grant due to the city for FY 23. It must update the data by July 1, 2022. (By law, municipalities must submit claim forms to OPM annually by April 1 to report the assessed value of their PILOT-eligible property as of the prior October 1.)

EFFECTIVE DATE: Upon passage

§§ 96-116 & 513 — CONNECTICUT RETIREMENT SECURITY PROGRAM

Eliminates CRSA and makes the Office of the State Comptroller its successor; converts CRSA's board of directors to an advisory board; requires that money spent on the program from the General Fund be reimbursed by October 1, 2023

Prior law required the Connecticut Retirement Security Authority (CRSA), a quasi-public agency administered by a board of directors, to establish a retirement program with Roth individual retirement accounts (IRAs) for eligible private-sector employees. The act (1) eliminates CRSA and makes the Office of the State Comptroller its successor for administering the program, (2) converts CRSA's board of directors to an advisory board, and (3) renames the program the

Connecticut Retirement Security Program, instead of the Connecticut Retirement Security Exchange.

The act transfers most of the powers and responsibilities of CRSA's board of directors to the comptroller and eliminates those that do not apply to a comptroller-administered program. It allows any member appointed and serving on the board of directors on July 1, 2022, to continue to serve on the advisory board until his or her term expires.

Under the act, any money spent from the General Fund to administer the program or compensate employees who may participate in the program must be reimbursed to the General Fund by October 1, 2023. The act also makes numerous minor, conforming, and technical changes.

EFFECTIVE DATE: July 1, 2022, except a conforming provision (§ 513) repealing CRSA's ability to request an advance of up to \$1 million from the General Fund is effective upon passage.

Advisory Board

The act converts CRSA's board of directors into the Connecticut Retirement Security Advisory Board with the same ex-officio members, appointed members and their appointing authorities, and member criteria. However, it makes the comptroller the advisory board's chairperson, rather than a governor-selected board member.

Under the act, the advisory board must advise the comptroller on matters including (1) using the program's surplus funds to the extent authorized by law and (2) modifying the program to meet federal tax law and regulations, and prevent it from being regulated by the federal Employment Retirement Income Security Act (ERISA).

In converting the board of directors to an advisory board, the act removes various powers from the board, including, among other things, its ability to: (1) appoint an executive director, (2) adopt various written procedures for the program, (3) adopt bylaws and an official seal, (4) maintain an office, (5) sue and be sued, and (6) make and enter into certain contracts and agreements.

It also removes (1) a requirement for board members who handle program funds to execute a surety bond and (2) individual liability protection for any board member, director, or employee.

Comptroller

The act eliminates CRSA and makes the Office of the State Comptroller its successor for administering the program. It transfers certain powers from CRSA's board of directors to the comptroller, allowing the comptroller, in consultation with the advisory board, to generally do the following:

1. establish criteria and guidelines for the program;
2. receive and invest moneys in the program;
3. contract with financial institutions or other organizations offering or servicing retirement programs;

4. charge and equitably apportion certain administrative costs among program participants;
5. borrow working capital funds and other funds needed to operate the program;
6. do all things needed to carry out the law's provisions; and
7. establish an administrative process through which participants, potential participants, and employees may submit grievances, complaints, and appeals to have them heard and addressed by the comptroller (prior law required the board of directors to adopt written procedures for this process).

The act similarly transfers various responsibilities from CRSA's board of directors to the comptroller. These include, among other things, requirements to do the following:

1. prepare certain informational materials about the program;
2. provide quarterly statements to program participants;
3. annually notify participants about fees that may be imposed;
4. provide for establishing and maintaining IRAs for each program participant;
5. minimize the program's total annual fees;
6. enter into memoranda of understanding with the Department of Labor and other state agencies on gathering or distributing information needed to operate the program; and
7. maintain a website for the program.

The act also transfers to the comptroller the requirement to act, when conducting the program's business, (1) with the care, skill, prudence, and diligence that a prudent person familiar with these matters would use in a similar situation; (2) solely in the interests of program participants and beneficiaries; and (3) only to provide benefits to participants and beneficiaries and defray the program's reasonable administrative expenses.

Regulations. Prior law allowed, and in some instances required, CRSA's board of directors to adopt various policies and procedures for administering the program. The act instead requires that the comptroller do so by adopting regulations. This allows, and in some instances requires, the comptroller to adopt regulations about, among other things, (1) protecting program participants' personal and confidential information, (2) electronically distributing notices and information to participants, (3) how employers with fewer than five employees and other non-participating individuals may opt-in to the program, and (4) governing funds distribution from the program.

§ 117 — MILITARY FUNERAL HONORS RIBBONS

Authorizes the adjutant general to issue military funeral honors ribbons

The act authorizes the adjutant general to issue military funeral honors ribbons to military personnel, including Connecticut National Guard and organized militia members, who perform honor guard details.

EFFECTIVE DATE: July 1, 2022

Background — Related Act

PA 22-62, § 5, is an identical provision.

§ 118 — HONOR GUARD PAY INCREASE

Increases, from \$50 to \$60, the daily pay for each member of an honor guard detail at a veteran's funeral

The act increases, from \$50 to \$60, the daily pay for each member of an honor guard detail at a veteran's funeral. By law, the payment is made from appropriations for National Guard pay and from federal funds for providing the honor guards. An honor guard detail consists of up to five members, plus a bugler.

EFFECTIVE DATE: October 1, 2022

§§ 119 & 120 — EXPANSION OF DEBT-FREE COLLEGE PROGRAM ELIGIBILITY

Expands the debt-free community college program's eligibility to qualifying first-time, part-time Connecticut community-technical college students

Under the state's debt-free community college program, Connecticut high school graduates who enroll as first-time, full-time regional community-technical college students are eligible to receive awards on a semester basis that (1) cover the unpaid portion of the institutional costs (i.e., tuition and fees minus scholarships; grants; and federal, state, and institutional aid awarded to the student excluding loans) or (2) provide a minimum award of \$250, whichever is greater.

The act expands the program eligibility to qualifying part-time students (i.e., students enrolled at a regional community-technical college carrying at least six but no more than 11 credit hours in a semester). Part-time students who meet the established eligibility requirements can receive awards that (1) cover the unpaid portion of the institutional costs or (2) provide a minimum award of \$150, whichever is greater.

Under the act, awards are available to qualifying students in their first 48 months of community college enrollment, rather than 36 months as under prior law.

Lastly, the act makes minor, technical, and conforming changes. For example, it exempts the debt-free community college program from the general requirement that unexpended state appropriations lapse at the end of the fiscal year.

EFFECTIVE DATE: July 1, 2022

§ 121 — SMALL BUSINESS SEMINARS

Requires BOR, within available funds, to develop seminars to help small businesses adapt to the post-COVID-19 business environment

The act requires the Board of Regents (BOR) to develop seminar programs to help small businesses (i.e., with 25 or fewer employees) adapt to the business environment after the COVID-19 pandemic through courses in subject areas including electronic commerce, social media, cybersecurity, and virtual currency.

BOR must do so by September 1, 2022, and within available funds.

Under the act, BOR must establish forms and procedures allowing up to two employees per small business, at no cost to the business, to enroll in up to five seminar programs or any courses within these seminar programs at the Northwestern Connecticut Community College Entrepreneurial Center or the Werth Innovation and Entrepreneurial Center at Housatonic Community College.

EFFECTIVE DATE: July 1, 2022

§ 122 — DAS JOBS OPENINGS WEBSITE

Requires that the DAS website for executive branch job openings include links to job openings in the judicial and legislative branches and the state higher education system

The act requires the DAS commissioner, starting by July 1, 2022, to post individual links to the websites showing job openings in the judicial branch, legislative branch, and the constituent units of the state higher education system. She must do so in a prominent location on the DAS website where executive branch job openings are posted. If a link to one of the websites is updated after DAS posts it, then the applicable branch or unit must notify DAS about it, and DAS must update the link on its website.

EFFECTIVE DATE: Upon passage

§ 123 — PROJECT LONGEVITY INITIATIVE

Transfers certain responsibilities for the Project Longevity Initiative from OPM to the judicial branch on July 1, 2022

The act transfers certain responsibilities for the “Project Longevity Initiative” from OPM to the judicial branch on July 1, 2022. Project Longevity is a comprehensive, community-based initiative to reduce gun violence in the state’s cities (i.e., Bridgeport, Hartford, New Haven, and Waterbury).

Responsibilities

Beginning July 1, 2022, the act transfers the OPM secretary’s powers and duties for the initiative to the chief court administrator. As under prior law for the secretary, the administrator must do the following:

1. provide planning and management assistance to municipal officials;
2. do anything necessary to apply for and accept federal funds allotted or available to the state under any federal act or program; and
3. consult with various state officials (e.g., chief state’s attorney) and local stakeholders (e.g., clergy members, nonprofits, and community leaders) in implementing the initiative in Bridgeport, Hartford, and Waterbury.

Funding Sources

The act similarly transfers from the OPM secretary to the chief court

administrator the authority to (1) use state and federal funds as appropriated for the initiative's implementation and (2) accept, receive, and use any bequest, devise, or grant made to further the initiative's objectives.

Plan and Legislative Report

Prior law required the OPM secretary to create and submit a plan, by February 1, 2022, to the Public Safety and Security Committee on implementing the initiative statewide. Under the act, if the secretary did not submit this plan, then on and after July 1, 2022, the chief court administrator must create and submit a plan instead. The administrator must submit the plan to the Judiciary and Public Safety and Security committees by January 1, 2023.

EFFECTIVE DATE: Upon passage

§§ 125-126 — RESERVED SECTIONS

Reserved sections

§ 124 — CERTIFICATE OF NEED TASK FORCE

Creates a task force to study and make recommendations on certificates of need for health care facilities

The act establishes a 16-member task force to study and make recommendations on certificates of need (CONs) (see *Background*). The task force must study and make recommendations on the following matters:

1. instituting a price increase cap tied to the cost growth benchmark for consolidations;
2. guaranteed local community representation on hospital boards;
3. changes to the Office of Health Strategy's (OHS) long-term, statewide health plan to include an analysis of services and facilities and their impact on equity and underserved populations;
4. setting standards to measure quality due to a consolidation;
5. enacting higher penalties for noncompliance and increasing the staff needed for enforcement;
6. the attorney general's authority to stop activities as the result of a CON application or complaint;
7. the ability of workforce and community representatives to intervene or appeal decisions;
8. authorizing OHS to require an ongoing investment to address community needs;
9. capturing lost property taxes from hospitals that have converted to nonprofit entities; and
10. the timeliness of decisions or approvals relating to the CON process and relief available through that process.

EFFECTIVE DATE: Upon passage

Membership and Procedure

Under the act, the task force includes the Insurance and Real Estate Committee chairpersons and ranking members or their designees, as well as 10 appointed members as shown in the table below. In addition, the OHS executive director and attorney general, or their designees, serve as nonvoting, ex-officio members.

CON Task Force Appointed Members

<i>Appointing Authority and Number of Appointments</i>	<i>Appointee Qualifications</i>
House speaker (2)	Health care provider Representative of a Hartford-based hospital
Senate president pro tempore (2)	Expert in community-based health care Representative of a Connecticut-based medical school
House majority leader (1)	Representative of consumers
Senate majority leader (1)	Representative of labor
House minority leader (1)	Representative of a rural hospital
Senate minority leader (1)	Representative of an independent hospital
Governor (2)	Advocate for health care quality or patient safety Advocate for health care access and equity

Under the act, any of the legislative appointees (including the chairpersons' or ranking members' designees) may be legislators. The appointing authorities must make their initial appointments by June 6, 2022, and fill any vacancy.

The Insurance and Real Estate Committee chairpersons serve as the task force chairpersons. They must schedule the first meeting, which must be held by July 6, 2022.

The Insurance and Real Estate Committee's administrative staff serves in that capacity for the task force.

Reporting Requirement

The task force must report its findings and recommendations to the Insurance and Real Estate Committee by January 15, 2023. The task force terminates when it submits the report or on January 15, 2023, whichever is later.

Background — Certificates of Need

Generally, existing law requires health care facilities to apply for and receive a CON from OHS's Health Systems Planning Unit when proposing to (1) establish a new facility or provide new services, (2) change ownership, (3) purchase or acquire certain equipment, or (4) terminate certain services (CGS § 19a-638 et seq.).

§ 127 — SERS PENSION COST RECOVERIES

Requires that certain pension cost recoveries be deposited in the SERS pension fund as an additional employer contribution

The act requires that certain pension cost recoveries be deposited in the fund that supports the State Employees Retirement System (SERS). More specifically, if any pension costs recovered from an appropriated or non-appropriated source other than the General Fund or Special Transportation Fund cause the payments to SERS to exceed the actuarially determined employer contribution for any fiscal year, then the recovered costs must be deposited in the State Employees Retirement Fund as an additional employer contribution at the end of that fiscal year.

EFFECTIVE DATE: July 1, 2022

§ 128 — STATE AGENCY ELECTRIC VEHICLE CHARGING STATIONS

Establishes policies and procedures for using electric vehicle charging stations on state agency property

The act allows state agencies to designate agency-owned and -operated electric vehicle (EV) charging stations on agency property for public use, solely for state-employee use, or both. If an agency does so, the act (1) allows it to establish maximum charging time limits (per user, per charging session), based on the property's parking needs, and (2) requires it to assess and collect a fee for the station's use.

When determining the stations' authorized use, an agency must consider the business that visitors conduct at the agency property (e.g., service centers, maintenance facilities, correctional facilities, visitor centers, health care facilities, and recreational facilities). Any applicable time limits and fees must be posted at the station.

Except for emergency vehicles, the act makes it an infraction to (1) park in a state agency EV charging spot without charging a plug-in hybrid or battery EV or (2) exceed an agency-established maximum charging time limit. Infractions are punishable by fines, usually set by Superior Court judges, of between \$35 and \$90 (plus other surcharges and fees), and violators may pay the fine by mail without making a court appearance.

EFFECTIVE DATE: October 1, 2022

EV Charging Station Fees

The act requires state agencies to establish, assess, and collect reasonable fees for using EV charging stations purchased and installed on or after October 1, 2022.

Specifically, for their respective branches, DAS, the Legislative Management Committee, and the Office of the Chief Court Administrator, in consultation with the Department of Energy and Environmental Protection, must establish a per-kilowatt-hour fee to recover, to the maximum extent practicable, the operational, maintenance, and electric costs for the stations. The act exempts state-owned or -

leased vehicles exempt from the fees.

Under the act, each branch must update these fees annually or sooner if deemed necessary. The applicable fee must be posted at each station, and DAS must post executive branch station fees on its website. Collected fees must be deposited in the state fund that paid for acquiring and installing the charging station.

§ 129 — CANNABIS GENERAL FUND ACCOUNTS AND APPROPRIATED FUNDS

Allows money from a specified General Fund account and appropriated fund, established under the 2021 cannabis law, to be used for costs incurred to implement activities that law authorizes; requires OPM to consult with the Social Equity Council when allocating certain funds, and allows the council to provide recommendations to state agencies on certain expenditures

The 2021 cannabis law established two new General Fund accounts (the cannabis regulatory and investment account and social equity and innovation account), directed specified fee and tax revenue to the accounts for FY 22, and required OPM to allocate the account funds to state agencies for specified purposes. Beginning in FY 23, the law also establishes two new appropriated funds (the Social Equity and Innovation Fund and Prevention and Recovery Services Fund) and requires that money in the funds be appropriated for specified purposes. The act makes the following changes to these accounts and funds:

1. expands the purposes for which the social equity and innovation account and fund may be used to include paying costs incurred to implement activities authorized under the 2021 cannabis law,
2. requires the OPM secretary to consult with the Social Equity Council when allocating money from both General Fund accounts, and
3. allows the council to make recommendations to relevant state agencies on expenditures from the Prevention and Recovery Services Fund.

EFFECTIVE DATE: Upon passage

Background — Related Act

PA 22-146, §§ 4 & 5, extends the collection of specified fees and taxes for the two cannabis general fund accounts to FY 23, and requires money from these accounts to be transferred into the General Fund at the end of FY 23.

§ 130 — LEGISLATIVE BRANCH GOODS AND SERVICES CONTRACT ADVERTISEMENTS

Eliminates the requirement that the Legislative Management Committee advertise certain goods and services bidding opportunities in three newspapers

Existing law generally requires the Legislative Management Committee to publicly advertise bidding opportunities for goods and services contracts (i.e., those for supplies, materials, equipment, and contractual services). For contracts subject to this requirement that are estimated to exceed \$50,000, the act eliminates the

OLR PUBLIC ACT SUMMARY

requirement that the committee advertise bids in at least three daily newspapers in the state at least five days before the bidding deadline. It instead requires that they be posted on the State Contracting Portal within the same timeframe. (This conforms to current practice.)

Prior law also required that goods and services contracts (in any amount) subject to public bidding be advertised on a public bulletin board in a building under the committee's supervision and control. The act instead allows the committee to post them on a website it designates. As under existing law, the committee must also send notices to prospective suppliers.

EFFECTIVE DATE: July 1, 2022

§§ 131-134 — JUDICIAL COMPENSATION

Increases the salary and other compensation for judges and certain other judicial officials by approximately 5% starting in FY 23

Starting in FY 23, the act increases the following by approximately 5%: (1) salaries for judges, family support magistrates, family support referees, and judge trial referees; (2) additional amounts that certain judges receive for performing administrative duties; and (3) salaries of certain officials whose compensation, by law, is determined in relation to a Superior Court judge's salary or state referee's per-diem rate.

EFFECTIVE DATE: July 1, 2022

Judicial Salaries

The table below shows the act's changes to judicial salaries starting in FY 23.

Judicial Salaries

Position	Prior Salary	Salary Starting July 1, 2022 (FY 23)
Supreme Court chief justice	\$215,915	\$226,711
Chief court administrator (if a judge)	207,480	217,854
Supreme Court associate judge	199,781	209,770
Appellate Court chief judge	197,571	207,450
Appellate Court judge	187,663	197,046
Deputy chief court administrator (if a Superior Court judge)	184,209	193,420
Superior Court judge	180,460	189,483
Chief family support magistrate	157,078	164,932
Family support magistrate	149,498	156,973
Family support referee	233/day*	245/day*
Judge trial referee	271/day*	285/day*

OLR PUBLIC ACT SUMMARY

*Plus expenses, mileage, and retirement pay

As under existing law, judges with at least 10 years of judicial or other state service also receive semi-annual longevity payments equal to a specified percentage of their annual salary.

Administrative Judges

The law provides judges with extra compensation for taking on certain administrative duties. The act increases these annual payments from \$1,230 to \$1,292 starting July 1, 2022 (i.e., FY 23), which are in addition to the judges' annual salaries.

The judges who receive this additional amount are (1) the appellate system's administrative judge; (2) each judicial district's administrative judge; and (3) each chief administrative judge for (a) facilities, administrative appeals, the judicial marshal service, or judge trial referees, and (b) the Superior Court's family, juvenile, criminal, or civil divisions.

Related Increases

The act's provisions also result in salary, rate, or maximum compensation increases for other officials or judges whose compensation is tied to those of judges or judge trial referees. Specifically:

1. the salaries of workers' compensation administrative law judges vary depending on service time and are tied to those of Superior Court judges (CGS § 31-277);
2. the salaries of probate court judges vary depending on probate district classification and range from 45% to 75% of a Superior Court judge's salary (CGS § 45a-95a);
3. senior judges receive the same per-diem rates as state referees (CGS §§ 51-47b(a) & 52-434b);
4. the probate court administrator's salary is the same as that of a Superior Court judge (CGS § 45a-75); and
5. the maximum compensation a retired judge may receive is equal to the highest annual salary during the fiscal year for the judicial office the judge held at retirement (CGS § 51-47b(b)).

(Beginning January 4, 2023, PA 22-85 generally makes the (1) governor's salary equal to the salary for the Supreme Court chief justice and (2) lieutenant governor's and constitutional officers' salaries equal to those for Superior Court judges. (The constitutional officers are the secretary of the state, state treasurer, state comptroller, and state attorney general.))

§ 135 — AMBULANCE RATES

Requires the DPH commissioner to proportionally adjust certain ambulance service rates within any increases the DSS commissioner makes to Medicaid ambulance service rates

OLR PUBLIC ACT SUMMARY

The act requires the DPH commissioner to adjust certain ambulance service rates proportionally with any increases the DSS commissioner makes to Medicaid ambulance service rates. The DPH commissioner must do this within 30 days after the DSS commissioner makes the increases and apply the proportional adjustments to rates for (1) transporting and treating patients by licensed ambulance services and invalid coaches and (2) certified ambulance services and paramedic intercept services.

(PA 22-146, § 6, replaces this provision and instead requires the DPH commissioner to proportionally increase these ambulance service rates for FY 23 based on the amounts appropriated to DPH for this purpose. It also requires the commissioner to report to the Appropriations and Public Safety committees by January 1, 2023, on the rates for the prior 10 fiscal years.)

EFFECTIVE DATE: Upon passage

§ 136 — EMERGENCY MEDICAL SERVICES WORKING GROUP

Requires the DPH commissioner, in collaboration with the DSS commissioner, to establish a working group to examine certain issues related to emergency medical services

The act requires the DPH commissioner, in collaboration with the DSS commissioner, to establish a working group on emergency medical services (EMS). The group must examine Medicaid and private commercial EMS rates; the EMS workforce; and the provision of these services, including the (1) adoption of mobile-integrated health care and (2) provision of EMS in other states.

The working group must include the DPH and DSS commissioners or their designees and representatives of volunteer EMS providers, municipal or other nonprofit agencies that provide EMS, hospital-based EMS providers, and for-profit EMS providers. The group may also include emergency physicians, other emergency care providers, and representatives of hospitals, long-term care providers, and health carriers.

The act requires the DPH commissioner to convene the working group's first meeting by September 1, 2022.

By January 1, 2023, the DPH commissioner, in consultation with the DSS commissioner, must report to the Public Health Committee on the group's findings and recommendations to improve the provision of EMS in the state and proposed actions to create an effective and sustainable EMS system over a long-term period.

EFFECTIVE DATE: July 1, 2022

§ 137 — MUNICIPAL STORMWATER AUTHORITY FEES

Modifies the partial fee reduction a stormwater authority must provide to property owners by placing more requirements on its availability and establishes an optional reduction; requires the authorities to adopt a procedure for providing fee reductions; eliminates the requirement that grand list valuation be considered when setting stormwater fees

The act (1) modifies the partial fee reduction that municipal stormwater authorities must provide to property owners by placing more requirements on its

availability and (2) establishes an optional reduction (see below). Unchanged by the act, the reductions are in the form of a credit.

Additionally, the act (1) requires stormwater authorities to adopt a procedure for providing the fee reductions and (2) allows the DEEP commissioner to provide additional guidance to authorities to implement the fee reductions.

It also eliminates prior law's requirement for stormwater authorities to consider a property's grand list valuation when setting stormwater fees. Existing law, unchanged by the act, requires authorities to consider (1) the amount of impervious surface generating stormwater runoff and (2) land use types that result in higher or lower concentrations of stormwater pollution. Lastly, the act makes a minor change to specify that a stormwater authority's stormwater management program must be to control both stormwater construction runoff and stormwater pollution, rather than at least one of the two.

Available Partial Stormwater Fee Reductions

Prior law required stormwater authorities to provide a partial fee reduction for property owners who installed, operated, and maintained authority-approved stormwater best management practices that reduced, retained, or treated stormwater onsite.

Mandatory Reduction. Under the act, a stormwater authority must instead provide a partial fee reduction for property owners who:

1. disconnect a percentage of the property's impervious surfaces from the municipal separate storm sewer system, combined storm sewer system, or surface water and
2. provide documentation to the authority's satisfaction that authority-approved stormwater best management practices or other control measures that reduce, retain, or treat stormwater onsite are being applied and maintained in compliance with the authority's requirements and any applicable DEEP-issued stormwater discharge permit.

The act specifies that an impervious surface area is considered disconnected when the appropriate water quality volume is kept in accordance with the applicable DEEP-issued stormwater discharge permit or as required by the authority.

New Optional Reduction. The act allows a stormwater authority to also provide a partial fee reduction for property owners who install, operate, and maintain infrastructure that reduces, retains, and treats stormwater onsite. For the reduction, the infrastructure must exceed any infrastructure requirements that may apply to the property under (1) the applicable DEEP-issued stormwater discharge permit (including requirements for water quality impairments), (2) any DEEP regulation, or (3) the local stormwater control ordinance.

EFFECTIVE DATE: July 1, 2022

§ 138 — NONUNION RAISES & LUMP SUM PAYMENTS

Requires most nonunion employees to receive the same pay increases as union employees in FYs 22, 23 & 24; requires legislative employees to receive the same lump sum payments as union employees in FYs 22 & 23

OLR PUBLIC ACT SUMMARY

The act requires each state agency to apply certain terms from the 2022 agreement between the state and the State Employee Bargaining Agent Coalition (SEBAC) to their employees who are not members of a bargaining unit (i.e., nonunion state employees). More specifically, state agencies must apply the agreement's terms for wage increases for the following fiscal years:

1. FY 22 (generally, a \$2,500 lump sum payment and 2.5% base annual salary increase),
2. FY 23 (generally, a 2.5% increase plus step increases, annual increments, or their equivalents, and a \$1,000 lump sum payment), and
3. FY 24 (generally, a 2.5% increase plus step increases, annual increments, or their equivalents).

The "state agencies" subject to this requirement include any office, department, board, council, commission, institution, constituent unit of the state higher education system, technical education and career school, or other agency in the executive or judicial, but not legislative, branch.

For legislative employees, the act requires the Office of Legislative Management to apply terms consistent with the 2022 SEBAC agreement's provisions for lump sum payments for FY 22 (\$2,500) and FY 23 (\$1,000).

EFFECTIVE DATE: Upon passage

§§ 139 & 140 — SALT APPLICATOR TRAINING AND COMMERCIAL APPLICATOR REGISTRATION PROGRAM

Requires DEEP and DOT to work with UConn to conduct training for roadside salt applicators and report to the legislature on the training program; establishes a registration program within DEEP for commercial salt applicators who take the program

Roadside Salt Applicator Training

The act requires the DEEP and DOT commissioners to work with UConn's Training and Technical Assistance Center (T2 Center) to conduct training for state, municipal, and private roadside applicators that relies on the Connecticut Best Management Practices "Green Snow Pro: Sustainable Winter Operations" guide for municipalities. The program must include (1) instruction on each topic in the guide and (2) additional resources for each topic. Under the act, either DEEP and DOT personnel or UConn's T2 Center personnel must provide the training. They must hold at least one training session in each county.

The act also requires DEEP and DOT to provide information about the training to the regional councils of governments. They must submit a report to the Environment and Transportation committees within one year after the program begins on (1) how many applicators received the training, (2) any goals for the program's future, and (3) any recommendations for proposed legislation to reduce sodium chloride's effects on private wells and public drinking water supplies.

Commercial Applicator Registration Program

The act establishes a salt applicator registration program within DEEP, which

the commissioner must administer and enforce within available resources.

Under the act, commercial applicators may annually register with DEEP and certify that they (1) received the roadside applicator training conducted by DEEP, DOT, and UConn, and any other training DEEP requires by regulations (see below) and (2) comply with the regulation’s policies and goals about applying salt. A “commercial applicator” is anyone who applies, or supervises others applying, salt or salt alternatives on roadways, parking lots, or sidewalks for winter maintenance. It excludes municipal, state, and state political subdivision employees.

Under the act, a business that employs multiple commercial applicators may make an organizational certification for its owner or chief supervisor and applicators employed by the business. A business with an organizational certification must (1) ensure that all applicators operating under it receive the required training and (2) keep records on behalf of all its applicators.

Application Form. The act requires the DEEP commissioner to develop the registration application form, which must include the following information:

1. applicant’s full name and address;
2. the name and address for a Connecticut-domiciled person who is authorized to accept legal service and notices on the applicant’s behalf;
3. type of apparatus used to apply salt or salt alternative, whether liquid or dry; and
4. any other information she deems necessary.

Required Regulations. The act also requires the DEEP commissioner to adopt implementing regulations, which must, at a minimum, include provisions that do the following:

1. establish policies and goals for applying salt,
2. receive and allocate federal grants and other funds or gifts to carry out the program,
3. provide the types and frequency of training programs required for registration,
4. establish commercial applicator registration procedures, and
5. establish recordkeeping requirements for applicators to maintain registration.

Violations and Registration Revocation. The act authorizes the commissioner to issue orders, including cease and desist orders, to anyone who violates the act’s registration program provisions or regulations. Orders are effective immediately upon issuance. The commissioner may revoke a violator’s registration after notice and hearing pursuant to the state’s Uniform Administrative Procedure Act.

EFFECTIVE DATE: October 1, 2022, except the registration program provision is effective upon passage.

§ 141 — LOCAL HEALTH DISTRICT REPORTING SYSTEM

Requires local health districts to create an electronic reporting system for property owners to report sodium chloride damage and health departments to submit the reports to OPM; allows OPM to identify and issue financial assistance to help property owners fix the damage

The act requires each local health district, by January 1, 2023, to establish an

electronic reporting system for owners of homes or wells directly damaged by sodium chloride run-off to report the damage to the local health department. Beginning by January 1, 2024, each local health department must annually submit the reports recorded during the prior calendar year to OPM. The OPM secretary may (1) identify available state or federal financial resources to help the owners with remediation, mitigation, or repair costs and (2) establish criteria and procedures for issuing the financial assistance.

EFFECTIVE DATE: Upon passage

§ 142 — RESIDENTIAL WATER TREATMENT INFORMATION

Requires residential water treatment system installers to provide certain customers with information about sodium and chloride in their drinking water

The act requires any person who installs residential water treatment systems to provide customers who want to install an automatic water softener or tank with written information about the (1) importance of testing their drinking water for sodium and chloride and (2) potential consequences of excessive levels of these minerals in drinking water.

EFFECTIVE DATE: Upon passage

§§ 143 & 144 — PREMIUM PAY PROGRAM

Establishes the Connecticut Premium Pay program to provide \$200 to \$1,000 to certain employees who worked throughout the COVID-19 emergency, depending on their individual income, to recognize and compensate them for their service

The act establishes the Connecticut Premium Pay program to be administered by the Office of the Comptroller (OTC) or a third-party administrator under contract with OTC. From October 1, 2022, until June 30, 2024, the program must provide \$200 to \$1,000 to eligible applicants, depending on their individual income and whether the program is sufficiently funded.

The act creates application and payment processes for the program and establishes a non-lapsing account to support it. It also (1) allows applicants to request a reconsideration of a denied application and prohibits any further appeals, (2) requires quarterly reports to the Labor and Public Employees Committee, and (3) prohibits employer retaliation against employees for applying to the program.

EFFECTIVE DATE: Upon passage

Eligible Applicants

Under the act, an “eligible applicant” is any private-sector employee who meets all of the following criteria:

1. worked during the entire public health and civil preparedness emergency the governor declared on March 10, 2020, or any declaration extension, through May 7, 2022 (when the act took effect);
2. worked in a category that the Centers for Disease Control and Prevention’s

(CDC) Advisory Committee on Immunization Practices recommended for a COVID-19 vaccination in phase 1a or 1b of the COVID-19 vaccination program as of February 20, 2021 (e.g., health care personnel, firefighters, police officers, corrections officers, food and agricultural workers, manufacturing workers, grocery store workers, public transit workers, education sector workers, and child care workers);

3. was not employed in a capacity where he or she worked or could have worked from home; and
4. has an individual income less than \$150,000.

Program Administration

The act requires OTC to either administer the program itself or contract with a third party to administer it. The program administrator must begin accepting applications on May 7, 2022 (when the act took effect). The administrator may (1) determine whether an applicant meets the eligibility requirements for compensation; (2) summon and examine relevant witnesses under oath; (3) require that any books, records, letters, contracts, or other documents be provided for examination as the administrator finds proper; and (4) take affidavits or depositions.

Program Account and Use of Funds

The act establishes the “Connecticut premium pay account” as a separate, non-lapsing General Fund account to contain any money the law requires to be deposited in it. The comptroller must spend moneys in the account at the administrator’s direction for payments to eligible applicants and for the program’s operating expenses, including (1) hiring employees and (2) public outreach and education about the program and account.

Under the act, no more than 5% of the total amount the account receives can be used for administrative costs, including hiring temporary or durational staff or contracting with a third-party administrator. The administrator must make all reasonable efforts to limit operating costs and expenses without compromising eligible applicants’ access to the program.

Applications

To apply, the act requires that an applicant submit a claim to the administrator by October 1, 2022, in a form and way that the administrator requires. Claims must include: (1) proof of employment as an eligible applicant from March 10, 2020, until May 7, 2022, as determined by the applicant’s proof of earnings, and (2) any additional information the administrator requires. Proof of employment may include official payroll records or another form of proof, including a letter from an employer stating the applicant’s work dates or a declaration from someone who personally knows about the applicant’s employment.

Under the act, the administrator must promptly review and evaluate all applications and decide whether the application will be approved. The decision

OLR PUBLIC ACT SUMMARY

must be based on the information the applicant provided or additional information provided at the administrator's request. The administrator must give a written decision to each applicant within 60 business days after applying, or, if the administrator requested additional information, within 10 business days after receiving the additional information.

Premium Payments

If the administrator approves a claim, it must direct the comptroller to pay the eligible applicant within 10 business days after approval. The payment amount generally depends on the applicant's individual income. (The act does not specify what constitutes "individual income.") The table below shows the payments for full-time eligible applicants (i.e., those who worked at least 30 hours per week).

Full-Time Eligible Applicant Income and Payment Ranges

<i>Individual Income Range</i>	<i>Premium Payment Under the Act</i>
Under \$100,000	\$1,000
\$100,000 - \$109,999	800
\$110,000 - \$119,999	600
\$120,000 - \$129,999	400
\$130,000 - \$149,999	200

For part-time eligible applicants (i.e., those who worked less than 30 hours per week), the act requires the program to provide a \$500 payment.

Under the act, if the sum allocated to the program is not enough to fully fund all approved applicants according to the requirements above, then all approved applicants' payments must be reduced proportionally. No payments must be made to any eligible applicants after June 30, 2024.

Appeals

The act allows an applicant to request that a determination be reconsidered by filing a request with the administrator, on a form the administrator determines, within 20 business days after the determination notice is mailed.

Within three business days after receiving the request, the administrator must designate someone to conduct the reconsideration and give him or her all documents related to the applicant's claim. The designee must conduct the reconsideration as a de novo (i.e., new) review of all relevant evidence within 20 business days after the request.

The act requires the designee to issue a written decision affirming, modifying, or reversing the administrator's decision within 20 business days and submit it to the administrator and the applicant. The decision must include a short statement of findings that specifies whether premium pay will be paid to the applicant as required by the act. Regardless of certain laws on administrative appeals, an applicant cannot further appeal a case beyond the administrator's designee.

OLR PUBLIC ACT SUMMARY

Under the act, any statement, document, information, or matter may be considered by the administrator or, on reconsideration, by the administrator's designee if he or she believes that it contributes to a claim determination, regardless of whether it would be admissible in a court.

Erroneous Payments and Fraud

If a claim is paid to a program applicant erroneously or due to the applicant's willful misrepresentation, the act allows the administrator to seek repayment of benefits from the applicant. In the case of willful misrepresentation, the administrator may also seek payment of a penalty equal to 50% of the benefits paid because of the misrepresentation.

Under the act, anyone (including an employer) who violates the act by intentionally aiding, abetting, assisting, promoting, or facilitating the (1) making of, or attempt to make, a payment claim or (2) receipt or attempted receipt of payment by another person, is liable for the same financial penalty as the person who made or tried to make the claim or receive the benefits.

Reports

The act requires certain regular reports to the program administrator and the legislature.

Starting by July 31, 2022, the comptroller must submit a monthly report to the administrator on the premium pay account's current value. The comptroller also must do so any other time the administrator requests it.

Starting by September 1, 2022, the administrator must submit a quarterly report to the Labor and Public Employees Committee on the account's financial condition. The report must include:

1. the account's estimated value as of the report's date,
2. the effect of scheduled payments on the account value,
3. estimated monthly administrative costs needed to operate the program and the account, and
4. any recommendations for legislation to improve the program's or account's operation or administration.

Anti-Retaliation

The act prohibits an employer from (1) discharging or causing to be discharged, disciplining, or discriminating against an employee because he or she applied for the act's premium pay or (2) deliberately misinforming or dissuading an employee from filing an application. An employee aggrieved by a violation of the prohibition may bring a civil action in the Superior Court in the district where the employer has its principal office. The action can seek reinstatement to the worker's position, payment of back wages, reestablishment of any lost benefits the employee was otherwise entitled to, and any other damages caused by the discrimination or discharge.

The act specifies that an employee who prevails in a civil action must be awarded reasonable attorney's fees and costs. Under the act, the court can also award punitive damages.

§§ 145 & 146 — CLIMATE-SMART AGRICULTURE AND FORESTRY PRACTICES

Expands the farmland restoration program's purposes to include climate-smart agriculture and forestry practices; allows DoAg to (1) pay farmers up to 50% of certain grant funds in advance and (2) pay or reimburse certain entities for services designed to increase the number of farmers using climate-smart agriculture and forestry practices

The act generally expands the farmland restoration program's purposes to include climate-smart agriculture and forestry practices in farmland restoration plans. This matching grant program, administered by DoAg, encourages farmers to restore farmland that has gone out of production.

Under the program, the DoAg commissioner may partially reimburse a farmer for the cost to do the following:

1. develop, implement, and comply with a farm resources management plan or a farmland restoration plan, which the act renames the farmland restoration and climate resiliency plan, that the DoAg commissioner has approved or
2. comply with a comprehensive farm nutrient management plan or a farm resources management plan that the DEEP commissioner has approved.

The act also allows the DoAg commissioner to partially reimburse a farmer for the cost to comply with a farmland restoration and climate resiliency plan that the DEEP commissioner has approved.

Additionally, the act allows the DoAg commissioner to pay up to 50% of the above amounts in advance. It also explicitly allows a farmer to seek this advance payment or reimbursement for farm equipment purchases under a farm resources management or farmland restoration and climate resiliency plan.

The act requires the DoAg commissioner, when making grants to comply with the various plans approved by DEEP, to prioritize capital improvements made under a farmland restoration and climate resiliency plan, in addition to those made under a comprehensive farm nutrient management plan or farm resources management plan as under prior law.

Under the act, a "farmland restoration and climate resiliency plan" is a conservation plan (1) of the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service, (2) of a soil and water conservation district, or (3) that the DoAg commissioner approves. It includes agricultural restoration purposes, which the act expands to include climate-smart agriculture and forestry practices.

Additionally, the act authorizes the DoAg commissioner to pay or reimburse certain entities (i.e., a municipality, nonprofit organization, soil and water conservation district, or UConn Extension Services) for a variety of services designed to increase the number of farmers implementing climate-smart agriculture and forestry practices developed or prescribed by the USDA. In practice, these include activities that store carbon, improve soil health, and reduce greenhouse gas

emissions (e.g., cover crops, prescribed grazing, nutrient management, manure management).

EFFECTIVE DATE: October 1, 2022

Agricultural Restoration Purposes

The act broadens the term “agricultural restoration purposes” to incorporate climate-smart agriculture and forestry practices, including practices in urban areas, and soil health improvements, water source and water runoff pattern improvements, woodlot management, and farm equipment purchases intended to improve soil health. “Climate-smart agriculture and forestry practices” includes any practices USDA develops or prescribes under its climate-smart agriculture and forestry strategy. By law, “agricultural restoration purposes” already includes the following:

1. reclaiming grown-over pastures and meadows;
2. installing fences to keep livestock out of riparian areas;
3. replanting vegetation on erosion-prone land or along streams;
4. restoring water runoff patterns;
5. improving irrigation efficiency;
6. conducting hedgerow management, including removing invasive plants and timber; and
7. renovating farm ponds through farm pond management.

The “agricultural restoration purposes” definition also applies to the vacant public lands program. The law authorizes the agriculture commissioner to establish this program to encourage the use of vacant state property for gardening, agricultural purposes, or agricultural restoration purposes (CGS § 22-6e). To date, he has not established this program.

Entities’ Services Payable or Reimbursable

The act authorizes the DoAg commissioner to pay or reimburse a municipality, nonprofit organization, soil and water conservation district, or UConn Extension Services for any of the following services:

1. providing technical assistance,
2. distributing grant funding to producers,
3. coordinating training programs,
4. coordinating projects piloting or demonstrating conservation practices,
5. creating tools that help reduce barriers to accessing help for on-farm conservation practices,
6. establishing equipment sharing programs, or
7. other activities that increase the number of farmers implementing climate-smart agriculture and forestry practices.

§ 147 — STROKE REGISTRY

Requires DPH to maintain and operate a stroke registry and establishes a stroke registry data oversight committee within the legislative branch to monitor the registry’s activities

OLR PUBLIC ACT SUMMARY

The act requires DPH to maintain and operate a statewide stroke registry. Starting July 1, 2023, stroke centers must submit quarterly data to DPH on stroke care that (1) the commissioner deems necessary to include in the registry and (2) at a minimum, aligns with stroke consensus metrics developed and approved by a nationally recognized stroke certification body.

The act also requires DPH to apply privacy and security standards for the registry's data that are consistent with the department's policies for patient data use.

Additionally, the act establishes a stroke registry data oversight committee within the legislative branch. The committee must (1) monitor the registry's operation; (2) provide advice on its oversight; and (3) develop a plan to improve the quality of stroke care, address any disparities in providing this care, and develop related short- and long-term goals for improving care.

Under the act, "stroke centers" include comprehensive stroke centers, thrombectomy-capable stroke centers, primary stroke centers, and acute stroke-ready hospitals.

EFFECTIVE DATE: October 1, 2022

Records Access

Under the act, stroke centers must provide DPH access to their records, as the department deems necessary, to perform case findings or other quality improvement audits to ensure the completeness of the registry reporting and data accuracy. The act also allows DPH to (1) enter into reciprocal reporting agreements with other states to exchange stroke care data; (2) enter into a contract for receiving, storing, and maintaining data; and (3) adopt regulations to implement the act's provisions.

Data Oversight Committee

Under the act, the oversight committee's members include one member each appointed by the six top legislative leaders. The members serve two-year terms. Appointing authorities must make their appointments by July 1, 2023, and may consult with the Connecticut Stroke Advisory Council when selecting appointees.

The act requires the House speaker and Senate president pro tempore to each appoint a committee co-chairperson from among the members. The co-chairpersons must schedule the committee's first meeting by August 1, 2023.

Under the act, the Public Health Committee administrative staff serve in this capacity for the oversight committee.

Additionally, the act requires DPH to assist the committee in its work and provide any data or information the committee deems necessary to fulfill its duties, unless state or federal law prohibits the disclosure.

The act also requires the stroke registry data oversight committee's co-chairpersons, starting by January 1, 2024, to annually report to the Public Health Committee, DPH commissioner, and Connecticut Stroke Advisory Council on the committee's work.

§ 148 — TECHNICAL CORRECTIONS DURING CODIFICATION

Requires the Legislative Commissioners' Office to make necessary technical, grammatical, and punctuation changes when codifying the act

The act requires the Legislative Commissioners' Office to make technical, grammatical, and punctuation changes as necessary to codify the act, including internal reference corrections.

EFFECTIVE DATE: Upon passage

§§ 149-153 — LEAD POISONING PREVENTION AND TREATMENT

Generally lowers the threshold for blood lead levels in individuals at which DPH and local health departments must take certain actions; requires primary care providers to conduct annual lead testing for certain high-risk children ages 36 to 72 months; requires DSS to seek federal approval to amend the state Medicaid plan to add services to address the health impacts of high childhood blood lead levels in Medicaid-eligible children; and requires the DPH commissioner to convene a working group to recommend necessary legislative changes on various lead poisoning prevention and treatment issues

The act generally lowers the threshold for blood lead levels in individuals at which DPH and local health departments must take certain actions. Principally, it:

1. lowers, from 10 to 3.5 micrograms per deciliter ($\mu\text{g}/\text{dL}$), the threshold at which licensed health care institutions and clinical laboratories must report lead poisoning cases to DPH and local health departments;
2. lowers, from 5 to 3.5 $\mu\text{g}/\text{dL}$, the threshold at which local health directors must inform parents or guardians about (a) a child's potential eligibility for the state's Birth-to-Three program and (b) lead poisoning dangers, ways to reduce risk, and lead abatement laws;
3. incrementally lowers, from 20 to 5 $\mu\text{g}/\text{dL}$, the threshold for local health departments to conduct epidemiological investigations of the source of a person's lead poisoning; and
4. incrementally lowers, from 20 to 5 $\mu\text{g}/\text{dL}$, the threshold at which local health directors must conduct on-site inspections and remediation for children with lead poisoning until December 31, 2024.

Additionally, the act requires primary care providers to conduct annual lead testing for children ages 36 to 72 months whom DPH determines to be at higher risk of lead exposure based on certain factors.

It also requires the DSS commissioner to seek federal approval to amend the state Medicaid plan to add services needed to address the health impacts of high childhood blood lead levels in Medicaid-eligible children.

Lastly, the act requires the DPH commissioner to convene a working group to recommend necessary legislative changes on various lead poisoning prevention and treatment issues. The commissioner must report the working group's recommendations to the Appropriations, Education, and Public Health committees by December 1, 2022.

The act also makes technical and conforming changes.

EFFECTIVE DATE: January 1, 2023, except the lead poisoning prevention and

treatment working group provision is effective upon passage.

Reporting Blood Lead Levels (§ 149)

By law, licensed health care institutions and clinical laboratories must report a person with blood lead levels that meet a specified threshold to DPH, local health departments, and the health care provider who ordered the testing. The act lowers the threshold amount from 10 to 3.5 µg/dL.

Providing Information to Affected Parents and Guardians (§ 149)

By law, local health directors must inform parents or guardians about (1) a child's potential eligibility for the state's Birth-to-Three program and (2) lead poisoning dangers, ways to reduce risks, and lead abatement laws. Under prior law, directors had to provide the information:

1. after receiving a report from a clinical laboratory or health care institution that a child had been tested with a blood lead level of at least 10 µg/dL, or any other abnormal body lead level, or
2. when a child was known to have a confirmed venous blood lead level of at least 5 µg/dL.

The act lowers these threshold amounts to 3.5 µg/dL.

Existing law, unchanged by the act, requires the local health director to provide the information to the parent or guardian only once, after the director receives the initial report.

On-Site Inspections and Remediation (§ 149)

Prior law required local health directors to conduct on-site inspections and order remediation for children with lead poisoning if:

1. at least one percent of Connecticut children under age six had reported blood levels of at least 10 µg/dL (directors had to take these actions for children who met this threshold in two tests taken at least three months apart) or
2. a child had a confirmed venous blood level of 15 to 20 µg/dL in two tests taken at least three months apart.

The act eliminates the first requirement and lowers the threshold for the second requirement to between (1) 10 and 15 ug/dL before January 1, 2024, and (2) 5 and 10 ug/dL from January 1, 2024, to December 31, 2024. (It appears that these inspections and remediation stop after this date, but the required epidemiological investigation and related actions continue; see below.)

Epidemiological Investigations (§ 150)

By law, if a local health director receives a report that a person's blood lead level exceeds a certain threshold, the director must conduct an epidemiological investigation of the lead source. The act lowers the threshold amount as follows:

OLR PUBLIC ACT SUMMARY

1. from 20 to 15 µg/dL from January 1, 2023, to December 31, 2023;
2. from 15 to 10 µg/dL from January 1, 2024, to December 31, 2024; and
3. from 10 to 5 µg/dL starting January 1, 2025.

Existing law, unchanged by the act, requires the director to then act to prevent further lead poisoning, including by ordering abatement and trying to find temporary housing for residents when the lead hazard cannot be removed from their dwelling within a reasonable time.

The act specifies that the law does not prohibit a local health director from conducting an epidemiological investigation in cases of blood lead levels lower than the minimum amounts listed above.

Primary Care Provider Testing (§ 151)

The act requires primary care providers who provide pediatric care, other than hospital emergency departments, to conduct annual lead testing for children ages 36 to 72 months whom DPH determines to be at an elevated risk of lead exposure based on their enrollment in HUSKY or residence in a municipality with an elevated lead exposure risk. Under the act, DPH determines higher-risk municipalities based on factors such as the prevalence of (1) housing built before January 1, 1960, or (2) children with blood lead levels greater than 5 ug/dL.

Existing law, unchanged by the act, already requires primary care providers to perform lead testing on (1) all children ages 9 to 35 months, in accordance with the Advisory Committee on Childhood Lead Poisoning Prevention recommendations; (2) all children ages 36 to 72 months who have never been screened; and (3) any child under 72 months if the provider determines it is clinically indicated under the advisory committee's recommendations.

Medicaid State Plan Amendment (§ 152)

The act requires the DSS commissioner to seek federal authority to amend the state Medicaid plan to add services she determines are necessary and appropriate to address the health impacts of high childhood blood lead levels in those eligible for Medicaid. She must do this within available appropriations and to the extent federal law allows.

Under the act, these additional services may include case management, lead remediation, follow-up screenings, referrals to other available services, and other Medicaid-covered services the commissioner deems necessary.

In determining which services to add to the Medicaid program, the act requires the commissioner to coordinate them with the services already covered under the program.

Lead Poisoning Prevention and Treatment Working Group (§ 153)

The act requires the DPH commissioner to convene a working group to recommend any necessary legislative changes on the following:

1. lead screening for pregnant women or those planning pregnancy,
2. lead in schools and child care centers,

3. reporting lead test results or lead screening assessments to schools and child care centers in health assessments for new students,
4. reporting additional data from blood lead test laboratories and providers to DPH, and
5. any other lead poisoning prevention and treatment matters.

Working Group Members. Under the act, the working group's members include the DPH and DSS commissioners and the Office of Policy and Management (OPM) secretary, or their designees. It also includes the following members appointed by the DPH commissioner:

1. at least four individuals who are (a) medical professionals providing pediatric health care, (b) active in the public health and lead prevention field, or (c) from a community disproportionately impacted by lead;
2. two representatives of an association of health directors in the state;
3. one representative of a conference of municipalities in the state; and
4. one representative of a council of small towns in the state.

The act requires the DPH commissioner to make her appointments by June 6, 2022 (i.e., within 30 days after the act's passage). When doing so, she must use her best efforts to select members who reflect the racial, gender, and geographic diversity of the state's population.

Working Group Report. The act requires the DPH commissioner to report to the Appropriations, Education, and Public Health committees on the working group's recommendations by December 1, 2022. The working group terminates when the commissioner submits the report.

Background — Federal Centers for Disease Control and Prevention (CDC) Recommendation

In October 2021, the CDC updated its recommendations on children's blood lead levels, defining 3.5 µg/dL, instead of 5 µg/dL, as an elevated blood lead level.

Background — Related Act

PA 22-49 contains the same provisions on lead poisoning prevention and treatment.

§ 154 — SMALL BUSINESS EXPRESS PROGRAM

Allows DECD to contract with nongovernmental entities in carrying out the Small Business Express program

The act specifically allows the DECD commissioner to contract with nongovernmental entities in carrying out the Small Business Express (EXP) program. These entities may include nonprofits, economic and community development organizations, lending institutions, and technical assistance providers.

The EXP program provides financial assistance to qualifying small businesses.
EFFECTIVE DATE: Upon passage

Background — Related Act

PA 22-50, § 1, enacted identical provisions.

§ 155 — ECONOMIC ACTION PLAN IMPLEMENTATION AND FUNDING

Allows DECD to establish two new programs through which the department may distribute certain funding for projects that implement the state's Economic Action Plan

Prior law allowed the DECD commissioner, for FYs 22 to 24 and in coordination with the OPM secretary, to use bond funds, ARPA funding, and other available resources to provide the following:

1. up to \$100 million in grants for “major projects” consistent with the state’s Economic Action Plan (EAP), which the department could distribute by developing and issuing requests for proposals (RFPs); and
2. matching grants of up to \$10 million each for these selected major projects, which the department could distribute through a competitive matching grant program.

New Programs

The act conforms law to current practice by making changes to the mechanisms described above by which DECD, for FYs 22 to 24 and in coordination with OPM, may allocate certain funding for major projects.

Specifically, the act allows the department to establish the following:

1. an Innovation Corridor program to provide grants for major projects, which replaces the prior RFP process, and
2. the Connecticut Communities Challenge program to provide community development grants, which replaces the prior matching grant program for selected projects.

The act requires DECD, under both programs, to develop a competitive application process and criteria consistent with the EAP’s purposes to evaluate applications and select projects for funding.

Funding Amounts

The act caps the new programs’ combined funding at \$200 million, with up to \$100 million in grants for each program. As under existing law, these grants may be funded through bonds, ARPA funds, and any other available resources.

EFFECTIVE DATE: Upon passage

Background — Related Act

PA 22-50, § 2, enacted identical provisions.

§ 156 — HISTORIC REHABILITATION TAX CREDIT PROGRAM FEES

OLR PUBLIC ACT SUMMARY

Expands the allowable uses of application fees DECD receives through the Historic Rehabilitation Tax Credit program to include funding certain programs that advance historical preservation

The act expands the allowable uses of application fees DECD receives through the Historic Rehabilitation Tax Credit program to include funding programs that advance historic preservation in the state. Prior law limited the use of these fees solely to program administration costs.

EFFECTIVE DATE: Upon passage

Background — Related Act

PA 22-50, § 3, enacted identical provisions.

§ 157 — DECD TECHNICAL CHANGE

Makes a technical change to a DECD reporting requirement

The act makes a technical change to a DECD reporting requirement.

EFFECTIVE DATE: October 1, 2022

Background — Related Act

PA 22-50, § 4, enacted identical provisions.

§ 158 — RESEARCH AND DEVELOPMENT TAX CREDIT STUDY

Requires the DECD commissioner to study extending the research and development tax credit to pass-through entities

The act requires the DECD commissioner to (1) study, in consultation with the revenue services commissioner, extending the research and development tax credit to pass-through entities and (2) report on the study to the Commerce Committee by January 1, 2023.

EFFECTIVE DATE: Upon passage

Background — Related Act

PA 22-50, § 5, enacted identical provisions.

§ 159 — RELEASE-BASED REMEDIATION DRAFT REGULATIONS

Requires the DEEP commissioner give an advisory working group certain draft regulations for a release-based remediation program before adopting them

The act requires the DEEP commissioner to give the release-based remediation advisory working group draft regulations to implement a release-based remediation program before posting them on the state's eRegulations System. More specifically,

she must do so at least 60 days before she posts a notice of intent on the system to adopt, amend, or repeal the regulations. The working group must provide advice and feedback on the draft within 30 days after receiving it. The group was established in 2020 to advise on the forthcoming release-based regulations (PA 20-9, September Special Session, § 19).

The act also requires the DEEP commissioner to convene at least one monthly meeting of the working group at least 15 days before she posts the eRegulations notice and after she provides the draft regulations. Additionally, she must provide a revised draft for the members' review before posting the notice.

EFFECTIVE DATE: Upon passage

Background — Related Act

PA 22-50, § 6, enacted identical provisions.

Background — Release-Based Remediation

Existing law transitions the state from its transfer-based approach to property remediation (i.e., the "Transfer Act") to a release-based approach (CGS § 22a-134pp et seq.). The release-based approach becomes effective when the DEEP commissioner adopts regulations for the program (e.g., establishing release reporting requirements and remediation standards).

§ 160 — MODEL STUDENT WORK RELEASE POLICY

Requires (1) the Office of Workforce Strategy's chief workforce officer to develop a model student work release policy and report it to certain legislative committees by July 1, 2023, and (2) all boards of education to adopt it

The act requires the Office of Workforce Strategy's chief workforce officer, in consultation with the education commissioner, the Technical Education and Career System's executive director, and the labor commissioner, to develop a model student work release policy by July 1, 2023. She must report on the policy by this date to the Commerce, Education, and Labor and Public Employees committees.

The act allows the chief workforce officer to update the policy as needed and requires her to notify each local and regional board of education about any update. Starting with the 2024-2025 school year, it requires boards of education to annually adopt the model student work release policy or the most recently updated version of it.

EFFECTIVE DATE: Upon passage

Background — Related Act

PA 22-50, § 7, enacted identical provisions.

§ 161 — CANCELLATION OF UNCOLLECTIBLE CLAIMS

OLR PUBLIC ACT SUMMARY

Generally increases the maximum uncollectable claim amount that a state department or agency head may cancel from \$1,000 to \$5,000

The act generally increases, from \$1,000 to \$5,000, the maximum uncollectible claim amount that the head of a state department or agency may cancel on the department's or agency's books. Existing law, unchanged by the act, already allows the DEEP commissioner, subject to state comptroller-approved procedures, to cancel uncollectible costs of less than \$5,000 related to addressing pollution, contamination, and certain waste.

Correspondingly, the act allows the OPM secretary to cancel uncollectible claims exceeding \$5,000 for any state department or agency. Prior law allowed him to do so for uncollectible claims exceeding \$1,000.

EFFECTIVE DATE: Upon passage

§ 162 — REDEMPTION CENTER GRANTS

Allows beverage container recycling grant program funds to be used for expanding redemption centers and eliminates the \$150,000 cap on individual grants

The act expands the availability of grants under the beverage container recycling grant program by allowing grant funds to be used for expanding beverage container redemption centers, instead of only for new centers. It also (1) eliminates prior law's \$150,000 per-grant cap that applied each fiscal year and (2) removes the requirement that grants be awarded on a rolling basis.

By law, the program provides grants for beverage container redemption centers in urban centers and environmental justice communities (i.e., municipalities or areas with certain economic or socioeconomic characteristics related to economic distress or poverty) lacking access to redemption locations. The grants may be used for initial operating expenses, infrastructure, technology, and other costs associated with a redemption center.

EFFECTIVE DATE: July 1, 2022

§§ 163-167 — CLASS II RPS & SUSTAINABLE MATERIALS MANAGEMENT PROGRAM

Starting in 2023, limits the Class II RPS requirement to only Class II renewable energy sources; requires that the penalties for failing to meet the Class II requirement be used to fund a DEEP-administered sustainable materials management program

In general, the state's Renewable Portfolio Standard (RPS) requires a portion of the power supplied to electric ratepayers to come from certain renewable energy sources. Starting on January 1, 2023, the act limits the Class II RPS requirement to only Class II renewable energy sources (i.e., trash to energy facilities). Prior law allowed both Class I (e.g., wind and solar) and Class II renewables to be used to meet the Class II requirement.

Starting on that same date, the act also requires that the alternative compliance payments for failing to meet the Class II requirement be deposited into a sustainable materials management account the act establishes, rather than be refunded to

ratepayers as prior law required. The act requires the DEEP commissioner to establish and administer a sustainable materials management program to support solid waste reduction in the state using funds from the account.

Lastly, the act makes a technical change to fix an incorrect statutory reference (§ 166).

EFFECTIVE DATE: October 1, 2022

Class II RPS (§ 163)

Under the state's prior Class II RPS law, electric distribution companies (EDCs, i.e., Eversource and United Illuminating) and electric suppliers had to get 4% of their energy from either Class I or Class II renewable energy sources. Beginning January 1, 2023, the act requires the EDCs and suppliers to meet this 4% requirement with only Class II energy sources. By law, unchanged by the act, the Class II requirement is in addition to the Class I RPS requirement, which is 24% in 2022 and increases annually until it reaches 40% in 2030.

Alternative Compliance Payments (§§ 164-165)

By law, if an EDC or electric supplier fails to meet the Class II RPS requirement it must make a 2.5 cent per kilowatt hour alternative compliance payment (ACP) for the shortfall. Prior law required that the ACP be refunded to ratepayers, but starting January 1, 2023, the act instead requires that it be deposited in the sustainable materials management account created by the act.

Sustainable Materials Management Account & Program (§ 167)

The act establishes the sustainable materials management account as separate, nonlapsing General Fund account. The account must contain money collected by the Class II ACP, as described above, and the DEEP commissioner must spend it for the Sustainable Materials Management Program's purposes, as described below.

Starting January 1, 2023, the act requires the DEEP commissioner to establish and administer the Sustainable Materials Management Program to support solid waste reduction in the state. The program must provide funding from the account for programs and projects that promote affordable, sustainable, and self-sufficient waste management in the state by reducing solid waste generation or diverting it from disposal, consistent with the state's solid waste management plan. The funding may be used for such things as grants, revolving loans, technical assistance, consulting services, and waste characterization studies that support the programs and projects implemented by entities that include municipalities, nonprofits, and regional waste authorities.

The act requires DEEP to annually submit a report to the Environment and Energy and Technology committees starting by January 1, 2024. The report must detail the expenditures of any funds disbursed from the account and the outcomes associated with those expenditures.

§ 168 — RENTSCHLER FIELD ANNUAL BUDGET

Eliminates requirements that the OPM secretary prepare and report on Rentschler Field's annual budget

The act eliminates requirements that the OPM secretary (1) prepare an annual operating and capital budget for the Rentschler Field facility and submit it to the state comptroller at least 90 days before the start of each fiscal year and (2) submit the budget to the Appropriations and Finance, Revenue, and Bonding committees after the comptroller provides comments on it. It similarly eliminates a requirement that the comptroller provide comments to the secretary within 45 days after receiving the budget.

A 2013 memorandum of understanding formally transferred Rentschler Field operating responsibilities from OPM to the Capital Region Development Authority (CRDA).

EFFECTIVE DATE: Upon passage

§ 169 — ENERGY PRODUCTION PLANT PURCHASE

Authorizes the administrative services commissioner to purchase the plant that produces and provides steam and heated and chilled water for the Capitol Area System

This act authorizes the administrative services commissioner to purchase the energy production plant at 490 Capitol Avenue in Hartford that currently produces and provides steam and heated and chilled water for the Capitol Area System (CAS), including related land, buildings, improvements, equipment, and fixtures. The act makes conforming changes to give the commissioner broad authority to operate the plant, similar to her powers regarding the CAS, as described below.

EFFECTIVE DATE: Upon passage

Plant Acquisition

The act authorizes the commissioner to (1) assume all supplier agreements and vendor, customer, and third-party contracts related to CAS, and (2) as necessary to carry out the act and a future purchase and sale agreement, perform and undertake any obligation and enter any agreement to accomplish any necessary transaction.

The act specifies that it does not (1) waive sovereign immunity other than terms specified in the agreement and (2) limit the state from changing how the plant is used if purchased, including its capacity, in the future.

The act makes several additional conforming changes relating to the power plant's acquisition and operation. More broadly, it also authorizes the commissioner to construct or acquire energy production plants in Hartford to provide heating and air conditioning through the CAS.

Rate Setting and Expenses

By law, the commissioner must periodically bill and collect CAS costs from

state agencies and owners of non-state buildings using the CAS. If the plant is purchased, the act authorizes the commissioner to collect from these entities a pro-rata share of the acquisition, operating, maintenance, and repair costs related to the plant, including the legal and consultation costs for acquiring the plant.

Except for funds collected to recover the plant's acquisition costs, which must be deposited in the General Fund, collected costs are deposited in the public works heating and cooling energy revolving account. The act correspondingly allows the commissioner to use the account to pay for the plant expenses.

§§ 170 & 171 — STATE EMPLOYEE HEALTH PLAN DEPENDENT COVERAGE

Requires certain health insurance coverage for children, stepchildren, or other dependent children of state or nonstate public employees to continue until at least the end of the calendar year after they either (1) obtain coverage through their own employment or (2) turn age 26, whichever occurs first

Existing law generally requires fully insured health, dental, and vision insurance coverage to extend through the policy year after a dependent turns age 26. It also requires the comptroller to procure health insurance coverage for eligible children, stepchildren, and other dependent children of state employees and certain nonstate public employees (e.g., municipal employees or employees of local boards of education or public libraries); however, it allows some of this coverage to extend through the end of the calendar year (rather than through the end of the policy year) after a dependent turns age 26.

The act resolves this conflict by explicitly requiring all fully insured coverage procured by the comptroller for these dependents to continue until the end of the calendar year after the dependent either (1) obtains coverage through their own employment or (2) turns age 26, whichever occurs first.

In practice, the state employee health plan, which is self-insured, already extends coverage for dependents to the end of the calendar year. The dental insurance plans the comptroller procures, however, are fully insured and directly affected by the act's changes.

The act applies to individual and group policies delivered, issued, amended, or renewed on or after July 1, 2022.

EFFECTIVE DATE: July 1, 2022

§§ 172-192 — VARIOUS CHANGES TO TRS

Makes various changes in the TRS statutes, including narrowing the definition of "teacher;" modifying aspects of lump sum payments; increasing the TRS monthly health insurance subsidy to school boards for retirees and their spouses meeting certain conditions; and changing the general TRS subsidy to school boards

The act makes various changes in the statutes governing TRS. They include, among other things, narrowing the definition of teacher, modifying aspects of lump sum payments, increasing the TRS monthly health insurance subsidy to school boards, and creating new employer reporting requirements. It also makes numerous

changes that codify current practices and make other minor, technical, and conforming changes.

Definition of Teacher (§ 172)

The act changes the definition of teacher and by doing so narrows who can be a Teachers' Retirement System (TRS) member. By law, the definition includes teachers, permanent substitute teachers, principals, assistant principals, supervisors, assistant superintendents, and superintendents who work for a public school and hold a State Board of Education (SBE) professional certificate. But the act excludes business administrators who hold a certificate with an administration endorsement, who were included in the prior law's definition (such administrators hired before the act's effective date do not appear to be "grandfathered" in).

Prior law also included as "teachers" professional employees of the State Education Resource Center (SERC), a quasi-public agency that was once part of SDE, who hold an SBE-issued certificate or permit. The act limits this to only those hired before July 1, 2022.

By law, TRS members also include professional staff of the SBE, the Office of Early Childhood, and the Board of Regents for Higher Education or any of the constituent units. The act specifies they must also be employed in an educational role and defines this, as well as "educational capacity," as having duties and responsibilities that would require a state certification if performed in a public school.

The act adds Connecticut Technical Education and Career System (CTECS) professional staff and UConn faculty members to TRS if they are employed in an educational role. CTECS professional staff could already be in TRS when CTECS was part of SDE, but CTECS just became an independent state agency as of July 1, 2022.

Prior law allowed certified staff who provide health and welfare services to children in a nonprofit private school to be members, so long as most of the schools' students are from Connecticut. The act limits this to only those hired before July 1, 2022.

The act also changes the definition of "permanent substitute teacher" from someone who serves for at least 10 months during any school year to someone who has the same assignment for an entire school year.

Lump Sum and Annuity Payments (§ 175)

The law entitles TRS retirees to certain lump sum payments in addition to their monthly pension payment. Under prior law, the lump sum equaled the member's accumulated 1% contributions withheld before July 1, 1989, plus interest. The act adds any voluntary contributions the retiree made, plus interest, to the lump sum. Unchanged under the act, a member may choose to have an actuarially equivalent annuity for life rather than a lump sum.

Under the act, the lump sum must be paid within three months after (1) the effective date of retirement or (2) the date of the first payment for a TRS disability

allowance. However, the act also allows the board to delay paying the lump sum in extenuating circumstances. In such a situation, the board must provide written notice to the member explaining the extenuating circumstances causing the delay and an estimated time when the board expects to make the payment.

Employer and Member Responsibilities (§ 179)

The law requires a member's employer to deduct the member's required contributions toward his or her retirement and forward them to the TRS. Under the act, if the employer does not deduct the monthly amount from the member's salary for the contribution, the member must remit the amount to the TRS board. A member who fails to remit the amount to the board will not receive the annual salary rate credit for the amount of the missed payment.

Retiree Health Insurance Subsidy Program Quarterly Reports (§ 181)

The act creates a new reporting requirement for the health insurance subsidy program for retirees. It requires each employer, by the first business day of each February, May, August, and November, to submit to the TRS board any information the board finds necessary about additions, deletions, and premium changes for the program. Employers must submit the information in a format the board requires. The program provides a subsidy for retired teachers who choose to stay on their former employer's health care plan.

An employer's failure to submit a quarterly report on time must delay the subsidy for that quarter, and the board must pay it retroactively.

The act limits retroactive subsidy payments to six months before the first day of the month in which the board receives the late report that includes newly eligible retired members or dependents.

In the case of a disability, the board must pay the subsidy retroactively to the effective date of the disability, so long as (1) any eligible members or dependents are added to the report by the first quarter after the board approved the disability and (2) the member's disability allowance starts within four months after the board's approval. Also, the act requires the employer to hold any member or dependents harmless for any costs associated with or arising from losing the subsidy benefit due to the employer's untimely or inaccurate filing of the quarterly report.

EFFECTIVE DATE: July 1, 2022

TRS Subsidy to Local Retiree Health Plans (§ 182)

The act increases, from \$220 to \$440 per person, TRS's monthly health insurance subsidy for certain retired teachers, and their spouses or surviving spouses or disabled dependents, who receive health insurance coverage from the retiree's last employing board of education. TRS pays the subsidy on behalf of the covered individual to the board of education.

The act similarly increases, from \$220 to \$440, the amount that the covered

individual must contribute toward his or her medical and prescription drug plan provided by the board of education to qualify for the subsidy. By law and unchanged by the act, he or she must also (1) be normal age to participate in Medicare (currently, age 65); (2) not be eligible for Part A of Medicare without cost; and (3) pay the difference between the subsidy and the premium cost.

The act also changes the general subsidy that TRS pays to local boards of education (or the state, if applicable) on behalf of retirees, spouses or surviving spouses, or disabled dependents who receive health coverage from the board or the state but who do not meet the above criteria. It requires TRS to pay a subsidy of \$220 per covered individual. (The act does not indicate how often the subsidy is paid. Presumably, it is monthly.) Under prior law, TRS had to pay a subsidy equal to the subsidy amount paid in FY 00 (in practice, \$110 per month per covered individual).

EFFECTIVE DATE: July 1, 2022

§ 193 — PERSONAL CARE ATTENDANTS (PCA) CONTRACT APPROVAL

Approves the memorandum of agreement between the PCA Workforce Council and the New England Health Care Employees Union, District 1199, SEIU

The act legislatively approves the memorandum of agreement between the PCA Workforce Council and the New England Health Care Employees Union, District 1199, SEIU. It also approves any attachments or appendices to the agreement and any provisions that supersede a state law or regulation. The agreement was submitted for legislative approval on April 20, 2022, as required by the law that allows PCAs working through certain state-funded programs to collectively bargain with the state.

EFFECTIVE DATE: Upon passage

§ 194 — PAID FAMILY MEDICAL LEAVE ANTI-RETALIATION

Prohibits employers from taking certain retaliatory actions against employees under the state's Paid Family and Medical Leave law

The act makes it a violation of the state's paid family and medical leave law (PFML) for an employer to (1) interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided by the PFML or (2) discharge or cause to be discharged, or in any other way discriminate against someone, for (a) opposing an illegal practice under the PFML or (b) exercising an employee's rights under the PFML.

It similarly makes it a PFML violation for any person to discharge or cause to be discharged, or in any other way discriminate against, someone because he or she (1) filed a charge, or started or caused to be started any proceeding, under or related to the PFML; (2) gave, or is about to give, any information in connection with an inquiry or proceeding relating to any right provided under the PFML; or (3) testified, or is about to testify, in such an inquiry or proceeding.

Existing law, unchanged by the act, similarly makes these same actions

violations of the state’s Family and Medical Leave Act and the family and medical leave law for state employees. As with these other violations, an employee aggrieved by a violation of these provisions involving the PFML may file a complaint with the labor commissioner under the same procedures. An employee may also sue the employer without first having to file an administrative complaint. EFFECTIVE DATE: July 1, 2022

§ 195 — REPRODUCTIVE HEALTH CARE SERVICES DEFINITION

Expands the definition of “reproductive health care services” in a recently passed act to include gender dysphoria treatments

The act expands the definition of “reproductive health care services” in PA 22-19, § 1, to include medical care relating to gender dysphoria treatments. In doing so it extends to gender dysphoria treatments that act’s protections for reproductive health care services, including (1) a cause of action for persons against whom there is an out-of-state judgment based on them and (2) limitations on the assistance officers of Connecticut courts, public agencies, and certain health care providers may deliver in out-of-state judicial actions related to them. Under PA 22-19, § 1, “reproductive health care services” already included all medical, surgical, counseling, or referral services related to the human reproductive system, such as pregnancy, contraception, or pregnancy termination. EFFECTIVE DATE: July 1, 2022

§§ 196 & 197 — TOBACCO SETTLEMENT FUND AND TOBACCO AND HEALTH TRUST FUND

Annually redirects \$12 million of Tobacco Settlement Fund proceeds from the General Fund to the Tobacco and Health Trust Fund and makes certain changes to the Tobacco and Health Trust Fund’s legislative reports

Starting in FY 23, the act annually redirects \$12 million of Tobacco Settlement Fund proceeds from the General Fund to the Tobacco and Health Trust Fund. Under prior law, the entire annual disbursement from the Tobacco Settlement Fund went to the General Fund (specifically, the “Transfer from Tobacco Settlement Fund” in the legislature’s General Fund revenue schedule). (PA 22-146, § 25, eliminates references to the “Transfer from Tobacco Settlement Fund” and the revenue schedule for this purpose while still redirecting \$12 million annually from the General Fund to the Tobacco and Health Trust Fund.)

The act requires that the Tobacco and Health Trust Fund’s board, by majority vote, recommend annual disbursements to programs for the fund’s statutory purposes (i.e., tobacco use prevention, education, and cessation; substance abuse reduction; and unmet physical and mental health needs of the state). Under the act, these disbursements must be the full amount of any money received from the Tobacco Settlement Fund for that year (i.e., \$12 million). Under prior law, the disbursements were discretionary and could be up to \$12 million.

Prior law required the Tobacco and Health Trust Fund’s board of trustees to

report to the legislature on certain matters following any year in which the fund received deposits from the Tobacco Settlement Fund. The act (1) instead requires the board to report every two years to the Appropriations and Public Health committees and (2) adds to the report's required topics an accounting of any unexpended amount in the trust fund. Under existing law, the report must include (1) the fund's disbursements and other expenditures, (2) an evaluation of the programs being funded, and (3) the criteria and application process used to select programs for funding.

The act also makes related technical and conforming changes, including eliminating obsolete language related to certain tobacco grants.

EFFECTIVE DATE: July 1, 2022

§ 198 — ID CHECKS FOR TOBACCO SALES

Requires sellers, or their agents or employees, to request that each person intending to purchase cigarettes or tobacco products, regardless of apparent age, present a driver's license or identity card to establish that the person is at least 21 years old

Existing law (1) prohibits the sale of cigarettes or tobacco products to people under age 21 and (2) allows sellers, or their agents or employees, to perform a transaction scan to check the validity of a prospective purchaser's driver's license or identity card as a condition of sale.

The act requires sellers, or their agents or employees, to request that each person intending to purchase cigarettes or tobacco products (regardless of apparent age) present a driver's license or identity card to verify that they are at least 21 years old. Previously, they had to ask only those prospective buyers who appeared to be under age 30 to show proper proof of age.

EFFECTIVE DATE: July 1, 2022

§ 199 — DAS REPORT ON STATE AGENCY VACANCIES AND HIRING

Requires DAS to report monthly during FY 23 on the number of vacancies, new hires, and refused employment offers for each state agency

The act requires DAS, by the 15th day of each month during FY 23, to report to the Appropriations Committee on the number of (1) vacant positions in each state agency, (2) people each agency hired during the previous month, and (3) people who refused an employment offer by each agency in the previous month.

EFFECTIVE DATE: Upon passage

§§ 200-204 — PSYCHEDELIC-ASSISTED THERAPY

Establishes (1) a Psychedelic-Assisted Therapy Pilot Program at the Connecticut Mental Health Center, (2) a fund to administer program grants, and (3) an 11-member advisory board within DMHAS to advise the department on various issues related to this therapy; makes related changes to the potential rescheduling of certain psychedelic substances (PA 22-46, § 28 repeals these sections)

OLR PUBLIC ACT SUMMARY

The act establishes a Psychedelic-Assisted Therapy Pilot Program at the Connecticut Mental Health Center (CMHC), within available appropriations, to provide qualified patients with funding needed to receive MDMA-assisted or psilocybin-assisted therapy (hereinafter “psychedelic-assisted therapy”) as part of a U.S. Food and Drug Administration (FDA)-approved expanded access program. The pilot program ends when the U.S. Drug Enforcement Administration (DEA) approves MDMA and psilocybin for medical use. (MDMA (i.e., “Molly” or “ecstasy”) is a synthetic psychoactive drug and psilocybin occurs naturally in some mushrooms. Both act as serotonin receptor agonists and MDMA also acts as a reuptake inhibitor of serotonin and dopamine.)

Under the act, “qualified patients” include Connecticut residents who are veterans, retired first responders, or direct health care workers.

Additionally, the act:

1. establishes, within available appropriations, a Qualified Patients for Approved Treatment Sites Fund (PAT Fund) administered by CMHC to give grants to certain qualified providers to provide psychedelic-assisted therapy under the pilot program;
2. establishes an 11-member Connecticut Psychedelic Treatment Advisory Board within DMHAS to advise the department on various issues related to psychedelic-assisted therapy;
3. requires DCP to adopt DEA’s controlled substances schedule for MDMA and psilocybin if DEA approves them for medical use and either reclassifies or unschedules them; and
4. requires DCP to consider adopting nonbinding federal guidelines on psychedelic-assisted therapy and allow for written comments from the advisory board and the public.

The act also makes technical and conforming changes.

(PA 22-146, §§ 20 & 28, repeals this act’s provisions and instead requires DMHAS, by January 1, 2023, to establish a psychedelic-assisted therapy pilot program, within available appropriations, administered by a Connecticut medical school.)

EFFECTIVE DATE: July 1, 2022

PAT Fund

Starting in FY 23, the act allows (1) any federal block grant funds allocated to CMHC to be deposited in the PAT Fund and (2) CMHC to accept public or private contributions to the fund.

The act requires CMHC to use PAT funds for grants to qualified applicants to provide psychedelic-assisted therapy to qualified patients under the pilot program.

Under the act, “qualified applicants” are mental or behavioral health services providers approved by the FDA as an approved treatment site with an expanded access protocol that allows the provider to access an investigational drug for treatment use, including emergency use.

Advisory Board Duties

OLR PUBLIC ACT SUMMARY

The act establishes an 11-member Connecticut Psychedelic Treatment Advisory Board to advise DMHAS on designing and developing the regulations and infrastructure needed to safely allow therapeutic access to psychedelic-assisted therapy if MDMA, psilocybin, and any other psychedelic compounds are legalized. Specifically, the advisory board must:

1. review and consider data from the psychedelic-assisted therapy pilot program to inform the development of the regulations;
2. advise DMHAS on (a) necessary education, training, licensing, and credentialing of therapists and facilitators; (b) patient safety and harm reduction; (c) establishing equity measures in clinical and therapeutic settings; (d) cost and insurance reimbursement considerations; and (e) treatment facility standards;
3. advise DMHAS on using group therapy and other therapy options to reduce cost and maximize public health benefits from psychedelic treatments;
4. monitor updated federal regulations and guidelines for referral and consideration by the state agencies responsible for implementing them;
5. develop a long-term strategic plan to improve mental health care through psychedelic treatment;
6. recommend equity measures for clinical subject recruitment and facilitator training recruitment; and
7. help develop public awareness and education campaigns.

Advisory Board Membership

Under the act, advisory board members include:

1. two members each appointed by the Senate president pro tempore and House speaker;
2. one member each appointed by the House and Senate minority leaders;
3. two members appointed by the governor; and
4. one member each appointed by the consumer protection, mental health and addiction services, and public health commissioners.

The act requires the advisory board to include members with experience or expertise in psychedelic research, psychedelic-assisted therapy, public health, access to mental and behavioral health care in underserved communities, veterans' mental and behavioral health care, harm reduction, and sacramental use of psychedelics.

Advisory Board Leadership and Administrative Staff

The act requires the Senate president pro tempore and House speaker to select the advisory board chairpersons from among its members. The chairpersons must oversee establishing and making recommendations on the board's voting procedures.

The act allows the board to have committees and subcommittees if they are needed for its operation.

Under the act, the General Law Committee administrative staff serve as the

advisory board's administrative staff, with assistance from the Office of Legislative Research and Office of Fiscal Analysis, if needed.

Federal Guidelines on Psychedelic-Assisted Therapy

The act requires DCP to consider adopting any nonbinding U.S. Department of Health and Human Services guidelines on practicing psychedelic-assisted therapy. It permits the Connecticut Psychedelic Treatment Advisory Board and the public to submit written comments to DCP during a notice and comment period the department establishes on (1) adopting the guidelines and (2) any suggested changes to them to better meet state residents' needs.

The act requires DCP to post the procedures and deadline to submit written comments during the notice and comment period on its website.

§ 205 — ESSENTIAL WORKERS COVID-19 ASSISTANCE PROGRAM

Expands the program to cover a broader range of essential workers; extends the application deadline until the end of 2022; makes various changes to how the program's benefits must be determined and administered

The act expands the Essential Workers COVID-19 Assistance Program to cover a broader range of essential employees and extends the deadline to apply for the program's benefits from July 20, 2022, to December 31, 2022. By law, the program provides financial assistance for uncompensated leave, out-of-pocket medical expenses, and burial expenses to certain essential employees who could not work between March 10, 2020, and July 20, 2021, due to contracting COVID-19 or symptoms that were later diagnosed as COVID-19.

The act also changes how the program's benefits must be determined and administered by generally:

1. requiring that a claimant's benefits for uncompensated leave be reduced by the amount of any employer-provided paid leave the claimant received for the same time;
2. allowing the program to pay a claimant benefits for one type of claim (e.g., uncompensated leave) while a claim for a different type of benefits (e.g., medical expenses) is pending; and
3. requiring the program administrator to review any claim that was denied or pending as of May 7, 2022 (when the act took effect), and make a new eligibility determination.

Under the act, a claimant's disability or unemployment claim must not prevent the program administrator from approving a claim, as long as the program's benefits are offset by any disability or unemployment benefits paid to the claimant for his or her uncompensated leave, including payments made without prejudice. The act also specifies that it does not require a claimant who has received unemployment benefits to be currently employed with a previous employer to qualify for the program's benefits.

EFFECTIVE DATE: Upon passage

Essential Employees

The act expands the “essential employees” covered by the program to include employees who the CDC’s Advisory Committee on Immunization Practices recommended for a COVID-19 vaccination in phase 1c of the first vaccine rollout as of February 20, 2021. These include, among others, certain employees in the following workforce categories: transportation and logistics, food service, energy, shelter and housing, IT and communication, news media, public safety, public health, finance, and legal.

Prior law limited the essential employees covered by the program to only those who the CDC recommended for a COVID-19 vaccination in phase 1a or 1b. These include health care personnel, firefighters, police officers, corrections officers, food and agricultural workers, manufacturing workers, grocery store workers, public transit workers, education sector workers, and child care workers.

Benefit Offset for Partial Paid Leave

By law, the program provides partial wage replacement benefits for a claimant’s uncompensated leave. Under prior law, however, these benefits were not available to cover any leave for which the claimant received paid leave through an employer-provided paid leave plan or under a state or federal law. The act instead requires that a claimant’s uncompensated leave benefit from the program be reduced by any amounts that he or she received through an employer-provided paid leave plan or under a state or federal law. In effect, this allows a claimant who received a partial paid leave benefit to also receive a correspondingly reduced benefit from the program instead of being disqualified.

Partial Claims

By law, the program provides eligible claimants with benefits for uncompensated leave, out-of-pocket medical costs, and burial expenses. If the program administrator has asked a claimant for additional information to process a claim, the act allows the administrator to pay the claimant for the completed parts of his or her claim while the remaining part of the claim is pending (e.g., a claimant may receive payments for uncompensated leave while the claim for medical costs is pending).

§ 206 — CLARIFICATION CONCERNING LOCAL APPROVAL OF OUTDOOR DINING

Specifies that local approval of outdoor dining pursuant to PA 22-1, § 2, does not exempt operators from complying with the Liquor Control Act

The act specifies that while municipalities must allow outdoor dining operations as-of-right (see Related Act), if their operators are liquor licensees or permittees, they must comply with applicable provisions of title 30 (i.e., the Liquor Control Act). This requirement applies to operations approved pursuant to PA 22-1, § 2,

which takes effect May 1, 2023.
EFFECTIVE DATE: May 1, 2023

Background — Related Act

PA 22-1 extends by 13 months, until April 30, 2023, the law that allows as-of-right outdoor dining and retail activities authorized by the governor’s executive orders during the COVID-19 pandemic to continue (§ 1). It also correspondingly delays, from April 1, 2022, to May 1, 2023, the effective date of provisions requiring municipalities to indefinitely allow outdoor dining as an as-of-right accessory use to a food establishment (§ 2).

§ 207 — DOC REPORT ON PRISON SUBSTANCE USE DISORDER AND MENTAL HEALTH SERVICES

Requires DOC to annually review, evaluate, and make recommendations on (1) substance use disorder and mental health services for incarcerated individuals and (2) reintegrating these individuals into the community

The act requires the DOC commissioner to annually review, evaluate, and make recommendations on (1) substance use disorder and mental health screening, diagnostic, and treatment services available to individuals who are incarcerated, throughout their entire incarceration and (2) reintegrating these individuals into the community. In doing so, the commissioner must consult with the Department of Mental Health and Addiction Services and judicial branch.

The act requires the DOC commissioner, starting by January 1, 2023, to annually report on this review to the Appropriations, Judiciary, and Public Health committees.

It also repeals an obsolete reporting provision.
EFFECTIVE DATE: Upon passage

Background — Related Act

PA 22-133 requires the DOC commissioner, by January 1, 2023, to develop a plan for providing health care services to inmates at DOC correctional institutions, including mental health, substance use disorder, and dental care services.

§§ 208-209 — RESERVED SECTIONS

Reserved sections

§ 210 — PILOT PROGRAM COLLECTING FIRE AND RESCUE SERVICE DATA

Requires DESPP to establish a three-year pilot program implementing a fire and rescue service data collection system

OLR PUBLIC ACT SUMMARY

The act requires the DESPP commissioner, in consultation with the DAS commissioner, the state fire marshal, OPM secretary, and the Commission on Fire Prevention and Control chairman, to set up and administer a pilot program, until July 1, 2025, to collect fire and rescue service data. The pilot program must be set up within available appropriations and either:

1. use the National Fire Operations Reporting System or
2. develop a system capable of real-time tracking information relevant to fire and rescue responses, including call processing time, alarm handling, and turnout time.

Any local or regional fire department or district may apply to participate if it is challenged or in crisis regarding delivery of fire and rescue services. The act also specifies that the Tolland County Mutual Aid Emergency Communications Center, Quinebaug Valley Emergency Communications Center, Litchfield County Dispatch, Valley Shore Emergency Communications Center, and Northwest Connecticut Public Safety Communications Center may participate.

If the DESPP commissioner approves a department or district's application, he must admit it to the data collection program within 60 days. The commissioner must give departments and districts participating in the program monthly reports on their collected response data.

By July 1, 2023, and each year after, the commissioner must evaluate the pilot program, including its overall effectiveness in collecting the relevant data. The commissioner must report on the evaluation and any recommendations to the Public Safety and Planning and Development committees.

EFFECTIVE DATE: July 1, 2022

§ 211 — UNEMPLOYMENT TAX CHANGES

For 2023, reduces the unemployment tax rate that certain new employers must pay by 0.2% and lowers the maximum fund balance tax rate from 1.4% to 1.2%

New Employer Experience Rates

By law, new employers that have not been chargeable with unemployment benefits for a long enough time to have their own unemployment tax experience rate calculated must pay either 1% or the state's five-year benefit cost rate, whichever is higher. For tax years starting on or after January 1, 2022, the law requires that the state's five-year benefit cost rate be calculated without the benefit payments and taxable wages for calendar years 2020 and 2021 when applicable. For 2023, the act requires that the state's five-year benefit cost rate be calculated this same way but then reduced by 0.2%.

The benefit cost rate is determined by dividing the total benefits paid to claimants over the previous five years by the five-year payroll over that period.

Fund Balance Tax Rate

By law, an employer's overall unemployment tax rate includes a fund balance rate calculated to help maintain a statutorily determined amount of funding in the

unemployment trust fund. Prior law capped this rate at 1.4%, but the act lowers the cap to 1.2% for 2023. Under existing law, unchanged by the act, the cap will decrease to 1.0% in 2024.

EFFECTIVE DATE: July 1, 2022

§§ 212-215 — INSURANCE HOLDING SYSTEM GROUP CAPITAL CALCULATIONS AND LIQUIDITY STRESS TESTS

Generally adopts amendments to the National Association of Insurance Commissioners' Insurance Holding Company System Regulatory Act related to group capital calculations and liquidity stress tests

Existing law allows the insurance commissioner to supervise and review insurers doing business in Connecticut that are affiliated with an insurance holding company system, which is two or more affiliated people or companies, one of which is an insurance company.

This act generally adopts the National Association of Insurance Commissioners (NAIC) amendments to the Model Insurance Holding Company System Regulatory Act on group capital calculations and liquidity stress tests for insurers affiliated with an insurance holding company.

The act also incorporates NAIC amendments that ensure a domestic insurance company in receivership that is associated with an insurance company holding system continues to receive essential services from an affiliate that it has contracted with. It:

1. requires insurers that are in hazardous financial condition and are part of an insurance holding company to secure money or a bond that covers certain existing obligations and
2. subjects companies affiliated with, and that have certain contractual obligations to, an insurer in receivership to the receiver's authority in certain circumstances.

For insurers that are part of an insurance holding company system, the act also requires agreements within an insurance company holding system to (1) keep an insurer's data accessible, identifiable, and segregated and (2) maintain as the insurer's exclusive property any of its premiums or funds held by an affiliate.

The act also integrates third party consultants into certain provisions of existing law that govern how, and with whom, NAIC can share certain confidential information.

Additionally, the act expands the definition of "internationally active insurance group" for the purposes of insurance holding company regulation. Existing law defines an "internationally active insurance group" as an insurance group that, among other things, writes (1) premiums in at least three countries and (2) at least 10% of its gross premiums outside the United States. For the purpose of this calculation, the act includes in "gross premiums", administrative service fees, associated expenses, and claim payments.

Finally, the act makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2022

Group Capital Calculations

By law, insurers doing business in Connecticut as part of an insurance holding company system must register with the Connecticut insurance commissioner.

The act requires the ultimate controlling person of these insurers to file an annual group capital calculation concurrently with their registration by June 1 annually. The group capital calculation must be filed with the lead state commissioner, as determined by certain NAIC procedures (e.g., the commissioner of the state in which the holding company is domiciled).

The report must be completed using the NAIC Group Capital Calculation Instructions and Reporting Template.

Exemptions

The act exempts from these group capital calculation filing requirements an insurance company holding system that meets any of the following conditions:

1. has only one insurer in its company structure, only writes business and is only licensed in its domestic state, and assumes no business from any other insurer;
2. is subject to the group capital requirements applicable to an insurance group that owns a Federal Reserve Board-supervised depository institution (in which case the act requires the lead state commissioner to request the applicable capital requirements from the Board; and the insurer loses the exemption if information sharing agreements prevent the Board from disclosing them);
3. has a non-U.S. group-wide supervisor from a reciprocal jurisdiction that recognizes the U.S. regulatory approach; or
4. (a) provides information to the lead state commissioner, through the group-wide supervisor, that meets certain NAIC financial standards and accreditation requirements and that the supervisor deems satisfactory to allow the lead state commissioner to comply with a specified NAIC group supervision approach and (b) whose non-U.S. group-wide supervisor that is not in a reciprocal jurisdiction recognizes and accepts, as the lead state commissioner specifies in regulation, the group capital calculation as the world-wide group capital assessment for U.S. insurance groups that operate in that jurisdiction.

The act requires the lead state commissioner to require the group capital calculation for the U.S. operation of any non-U.S. based insurance holding company system if, after consultation with other supervisors or officials, the lead state commissioner determines it is appropriate for prudent oversight, solvency monitoring, or ensuring market competitiveness. The lead state commissioner must require these regardless of the two exemptions for insurance holding company systems with non-U.S. group-wide supervisors listed above (items 3 and 4 above).

The act also gives the lead state commissioner the discretion to exempt the ultimate controlling person from filing the annual group calculation for insurance holding company systems described in items 1 and 4 above, or to accept a limited

group capital filing report from these systems in accordance with criteria the commissioner specifies in regulation.

If the commissioner determines an insurance holding company system no longer meets one of the exemptions above, it must file the group capital calculation at the next annual filing, unless the lead state commissioner gives an extension based on reasonable grounds.

Liquidity Stress Tests

Under the act, the ultimate controlling person of every insurer subject to registration (i.e., insurers affiliated with insurance holding companies) that is also “scoped into” the NAIC liquidity stress test framework for that year must file the specified year’s liquidity stress test’s results with the lead state commissioner (the act does not define the term “scoped into”).

The NAIC liquidity stress test framework includes scope criteria applicable to a specific data year. The act specifies that these scope criteria are reviewed at least annually by the NAIC Financial Stability Task Force (“task force”), and that any changes to the framework or data year take effect on January 1 of the following year.

The act requires insurers meeting at least one threshold of the scope criteria to be scoped into the NAIC liquidity stress test framework, unless the lead state commissioner, in consultation with the task force, determines otherwise. Correspondingly, insurers that do not trigger at least one scope criteria threshold are scoped out, unless the lead state commissioner, in consultation with the task force, determines otherwise.

The performance of, and filing of the results from, a specific year’s liquidity stress test must comply with (1) the applicable NAIC liquidity stress test framework instructions and reporting guidelines and (2) any lead state commissioner determinations made in consultation with the task force or its successor.

Group Capital Calculation and Liquidity Stress Test Confidentiality

The act makes confidential the information reported and provided to the lead state commissioner by an insurance holding company system (including one supervised by the Federal Reserve Board) for group capital calculations and liquidity stress tests. Specifically, the information is:

1. confidential and privileged;
2. not subject to disclosure under the state’s Freedom of Information Act; and
3. not subject to subpoena, discovery, or admissible in any civil action.

The act also makes documents and materials submitted to the commissioner related to certain insurance company acquisitions confidential and not subject to disclosure or discovery in a civil action in the same way existing law does for other documents insurance company holding systems submit.

The act specifies these group capital calculations and the resulting group capital ratios, and the liquidity stress tests and their results and supporting disclosures, are only regulatory tools for assessing group risks and capital adequacy and are not

intended to rank insurers or insurance holding company systems generally.

Insurance Companies in Hazardous Financial Condition

The act adds provisions related to insurance companies that must register as part of an insurance holding company system that the commissioner determines are in hazardous financial condition or in a condition that would otherwise be grounds for supervision, conservation, or delinquency, under applicable existing law or regulations.

Under the act, the commissioner may require these companies to secure and maintain a (1) deposit, to be held by the commissioner, or (2) bond, as the company determines. The deposit or bond must protect the insurance company for the duration of the contracts, agreements, or conditions that are causing the hazardous financial condition.

In determining whether to require a bond or deposit, the commissioner must consider whether the company's affiliates could fulfill its contracts or agreements if the company were liquidated. The commissioner sets the bond or deposit amount, which cannot exceed the value of the contracts or agreements in any one year. He may also specify which contracts or agreements the bond or deposit must cover.

Data, Record, and Premium Ownership and Control

The act specifies that all of an insurance company's records and data held by an affiliate remain property of the insurance company and are subject to the company's control. The records must be identifiable and segregated (or readily capable of segregation) from all other persons' records and all of the affiliate's data. Under the act, an insurer cannot pay to segregate commingled records and data.

At the insurer's request, the affiliate must allow the receiver to have:

1. a complete set of any records about the insurer's business,
2. access to the operating systems where the data is maintained, and
3. software that runs the systems (either by assuming the licensing agreements or otherwise).

The act also restricts the affiliate's use of this data if it is not operating the insurer's business.

Under the act, the affiliate must provide a waiver of any landlord lien or other encumbrance to give the insurer access to all records and data if the affiliate defaults on a lease or other agreement.

Additionally, premiums or other funds that belong to the insurer that are collected or held by an affiliate are the insurer's exclusive property, and subject to its control. The act specifies that any rights to offsets of amounts due to or from an insurer or affiliate are governed by existing insurer receivership laws if the insurer goes into receivership.

Rehabilitator or Liquidator's Authority Over an Affiliate

By law, an insurer that intends to contract with an affiliate for certain purposes

must notify the commissioner first. Under the act, an affiliate that is party to a management agreement, service contract, tax allocation agreement, or cost-sharing arrangement for which the insurer must give prior notice to the commissioner is also subject to the:

1. jurisdiction of any rehabilitation or liquidation order against the insurer and
2. authority of any rehabilitator or liquidator appointed under existing law to interpret, enforce, and oversee the affiliate's contractual obligations.

The commissioner can require an agreement or contract to specify that the affiliate consents to this authority. These provisions apply to contracts or agreements under which the affiliate performs services for the insurer that are:

1. an integral part of the insurer's operations, including management, administration, accounting, data processing, marketing, underwriting, claims handling, investment, or similar functions, or
2. essential to the insurer's ability to fulfill its obligations under insurance policies.

Sharing Information With Third-Party Consultants

Existing law allows the Connecticut insurance commissioner to acquire from and share with certain parties' confidential information related to regulatory reports and insurer oversight, under certain conditions. Prior law allowed him to acquire and share this information with NAIC and its affiliates or subsidiaries. The act instead allows this sharing with NAIC and any third-party consultants the commissioner designates.

Existing law requires the commissioner, before acquiring or sharing information, to enter into agreements that specify procedures for maintaining the information's confidentiality. The act also requires these written agreements to:

1. require the recipient to agree in writing to maintain the confidentiality and privileged status of the documents, materials, or other information and verify in writing their legal authority to do so (existing law already requires this to be affirmed in writing before the commissioner shares information);
2. prohibit NAIC or third-party consultants the commissioner designates from storing information on a permanent database after the underlying analysis is completed, excluding certain documents related to the liquidity stress tests; and
3. for certain documents related to the liquidity stress tests and only in the case of an agreement with a third-party consultant, provide for notice of the consultant's identity to the applicable insurer.

§ 216 — WORKING GROUP ON CRIMINALIZING COERCION AND INDUCEMENT

Establishes a 10-member working group to develop recommendations for possible legislation to criminalize coercion and inducement as described under federal law

The act establishes a 10-member working group to examine and develop recommendations on potential legislation to criminalize acts of coercion and

OLR PUBLIC ACT SUMMARY

inducement as described under federal law (see *Background*).

EFFECTIVE DATE: Upon passage

Composition

The working group includes the chief public defender or her designee; the chief state's attorney or his designee; and eight individuals, appointed one each by the Senate president pro tempore, House speaker, House and Senate minority leaders, and the Judiciary Committee chairpersons and ranking members.

The appointed members may be legislators.

Timeline

The appointing authorities must (1) make their appointments by July 6, 2022, and (2) provide a copy of the appointment to the Judiciary Committee administrator within seven days after the appointment.

The Senate president pro tempore's appointee must serve as chairperson and schedule and hold the working group's first meeting by August 5, 2022.

Reporting and Termination

The working group must (1) report its recommendations to the Judiciary Committee by January 15, 2023, and (2) terminate on the later of the date it submits the report or January 15, 2023.

Background — Coercion and Inducement Under Federal Law

Under federal law, anyone who knowingly persuades, induces, entices, or coerces another person to travel in interstate or foreign commerce, or in any United States territory or possession, to engage in prostitution, or in any sexual activity for which anyone can be charged with a criminal offense, or attempts to do so, must be fined, imprisoned up to 20 years, or both.

Anyone who, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces a minor (i.e., person under age 18) to engage in prostitution or any sexual activity for which anyone can be charged with a criminal offense, or attempts to do so, must be fined and imprisoned at least 10 years or for life (18 U.S.C. § 2422).

§§ 217-223 — HEALTH CARE BENCHMARKS

Requires OHS to establish benchmarks for health care quality and cost growth and primary care spending targets and allows OHS to identify entities that do not meet them

The act expands the OHS's duties to include, among other things, setting annual benchmarks for health care quality and cost growth and primary care spending targets. When developing these benchmarks and spending targets, the OHS

executive director may hold informational public hearings and consider certain specified information. Adopted benchmarks and spending targets must be posted on OHS's website.

The act requires health care payers and provider entities to provide the executive director with specified health care cost and quality data, which she must use to publish annual reports on the total health care expenditures in Connecticut, health care quality benchmarks, and information on payers and provider entities that meet or exceed these metrics. She must annually report on these issues to the Insurance and Public Health committees.

Under the act, a "provider entity" is an organized group of clinicians that (1) come together for contracting purposes or (2) is an established billing unit that includes primary care providers and has enough attributed lives (i.e., patients), collectively, to participate in total cost of care contracts during any given calendar year, even it does not. "Payer" is a government (e.g., Medicaid and Medicare) or non-government health plan and any of their affiliates, subsidiaries, or businesses acting as a payer that, during any calendar year, pays (1) health care providers for health care services or (2) pharmacies or provider entities for certain prescription drugs that the OHS executive director designates.

Additionally, the act requires the executive director to identify (1) payers and provider entities who exceed the health care cost growth and quality benchmarks or fail to meet the primary care spending target and (2) any other entities (e.g., drug manufacturers) that significantly contribute to health care cost growth. The act allows the executive director to require these payers, providers, and entities to participate in a public hearing and discuss, among other topics, ways to reduce their contribution to future health costs.

The act also allows the executive director to adopt implementing regulations to carry out its provisions and OHS's existing statutory obligations. Finally, it makes minor and conforming changes.

EFFECTIVE DATE: Upon passage

OHS Duties (§ 217)

The act adds the following to OHS's duties:

1. setting an annual health care cost growth benchmark and primary care spending target, as described below;
2. developing and adopting health care quality benchmarks, as described below;
3. developing strategies, in consultation with stakeholders, to meet these benchmarks and targets;
4. enhancing the transparency of provider entities; and
5. monitoring the (a) development of accountable care organizations and patient-centered medical homes and (b) adoption of alternative payment methodologies in Connecticut.

Annual Health Care Benchmarks and Spending Targets (§ 219)

By July 1, 2022, the OHS executive director must publish on the office's website (1) health care cost growth benchmarks and annual primary care spending targets as a percentage of total medical expenses for calendar years 2021 through 2025 and (2) annual health care quality benchmarks for calendar years 2022 through 2025.

Under the act, "total medical expense" is the total cost of care for a payer or provider entity's patient population in a calendar year, calculated as the sum of (1) all claims-based spending paid to providers by public and private payers, net of pharmacy rebates; (2) all nonclaims payments, including incentive and care coordination payments; and (3) all per-capita patient cost-sharing amounts.

The director must develop, adopt, and post on the office's website by July 1, 2025, and every five years after, the following for provider entities and payers: (1) annual health care cost growth benchmarks and annual primary care spending targets for the next five calendar years and (2) annual health care quality benchmarks for the next five calendar years.

Developing Health Care Benchmarks and Spending Targets. In developing the health care cost growth benchmarks and primary care spending targets, the act requires the executive director to consider (1) any historical and forecasted changes in median income for state residents and the potential gross state product growth rate; (2) the inflation rate; and (3) the most recent total health care expenditure report required under the act.

For health care quality benchmarks, the executive director must consider the following:

1. quality measures endorsed by nationally recognized organizations, including the National Quality Forum, the National Committee for Quality Assurance, the federal Centers for Medicare and Medicaid Services and Centers for Disease Control and Prevention, the Joint Commission, and other expert organizations that develop health quality measures;
2. measures about health outcomes, overutilization, underutilization, patient safety, and community or population health; and
3. measures that meet standards of patient-centeredness and ensure consideration of differences in preferences and clinical characteristics within patient subpopulations.

Public Hearings and Modifying Benchmarks or Targets. The act requires the executive director to hold at least one informational public hearing before adopting the health care benchmarks and spending targets. It also authorizes her to hold additional informational hearings on (1) the proposed health care quality benchmarks and (2) health care cost growth benchmarks and primary care spending targets after they have been set. The hearings must be held at a time and place she designates, and a notice must be prominently posted on the OHS website and in a form and manner she prescribes. Under the act, the executive director may modify any benchmark or spending target if she determines, after a hearing, that doing so is reasonably warranted.

The act also requires the executive director to annually review the current and projected inflation rates and post on OHS's website her findings, including her reasons for changing or maintaining a benchmark. For modifications to health care

cost growth benchmarks, the act does not require an additional hearing if the modifications are due to inflation rates. Additionally, the act does not require an additional hearing for any changes to the health care quality benchmark. The executive director must post a summary of any informational public hearing she holds on these benchmarks and targets on OHS's website, including her decision to modify them if applicable.

Legislative Approval for Certain Cost Benchmarks. The OHS executive director must submit proposed cost growth benchmarks to the Insurance and Real Estate Committee for review and approval if the average annual benchmark is higher by more than 0.5% compared to the average annual benchmark for the prior five years.

The benchmarks are deemed approved unless the committee votes to reject them within 30 days at a meeting called for this purpose. If rejected, the executive director can resubmit modified benchmarks for review and approval, and she is not required to hold additional public hearings on them. Until new benchmarks are approved, the annual benchmarks are equal to the average annual health care cost growth benchmark for the prior five calendar years.

Authority to Contract. The act allows the executive director to enter into necessary contractual agreements with actuarial, economic, and other experts and consultants to develop, adopt, and publish these health care benchmarks and spending targets.

Annual Reporting Requirements (§ 220)

Payer Reports. Beginning by August 15, 2022, the act requires each payer to report aggregated data annually to the OHS executive director, including aggregated, self-funded data necessary for her to calculate (1) total health care expenditures; (2) primary care spending as a percentage of total medical expenses; and (3) net cost of private health insurance. Payers must also disclose, upon request, payer data required for OHS to adjust total medical expense calculations to reflect patient population changes. Under the act, "total healthcare expenditures" are the sum of all health care expenditures in Connecticut from public and private sources for a given calendar year, including all claims-based spending paid to providers, net of pharmacy rebates; all patient cost-sharing amounts; and the net cost of private health insurance. "Net cost of private health insurance" is the difference between premiums earned and benefits incurred, including the insurers' cost of paying bills; advertising; sales commissions and other administrative costs; net additions or subtractions from reserves; rate credits and dividends; premium taxes; and profits or losses.

Additionally, the act requires payers and provider entities, starting by August 15, 2023, to report annually to the executive director on the health care quality benchmarks she adopts.

Payers and provider entities must report the data described above in a form and manner the executive director prescribes for the preceding or prior years, upon her request and based on material changes to data previously submitted.

Annual OHS Health Care Expenditure Report. Beginning by March 31, 2023,

the OHS executive director must annually prepare and post on the office's website a report on total health care expenditures. The report must use the total aggregate medical expenses that payers report, including a breakdown of population-adjusted total medical expenses by payer and provider entities. It may also include information on the following:

1. trends in major service category spending;
2. primary care spending as a percentage of total medical expenses;
3. the net cost of health insurance by payer by market segment, including individual, small group, large group, self-insured, student, and Medicare Advantage markets; and
4. any other factors the executive director deems relevant to providing context, which must include the impact of inflation and medical inflation, the impacts on access to care, and responses to public health crises or similar emergencies.

The act also requires the executive director to annually request the unadjusted total medical expenses for Connecticut residents from the federal Centers for Medicare and Medicaid Services.

Annual OHS Health Care Quality Benchmark Report. The act requires the executive director, by March 31, 2024, to annually prepare and post on the office's website a report about health care quality benchmarks reported by payers and provider entities.

Authority to Contract. The act allows the executive director to enter into contractual agreements necessary to prepare the annual health care expenditure and quality benchmark reports, including contracts with actuarial, economic, and other experts and consultants.

Failure to Meet Health Care Benchmarks and Spending Targets (§§ 221 & 222)

Payers and Provider Entities. Beginning in 2023, the act requires the OHS executive director to identify each payer or provider entity that exceeded the health care cost growth benchmark or failed to meet the primary care spending target for the performance year (i.e., the most recent year for which certain data are available). She must do so annually by May 1. However, before identifying any payer or provider entity, she must meet with it upon its request to review and validate the total medical expense data collected. She must review any information the payer or provider entity provides and, if necessary, amend her findings before identifying it as exceeding the health care cost growth benchmark or failing to meet the spending targets.

Beginning in 2024, she must also identify, annually by May 1, each payer or provider entity that exceeded the health care quality benchmark for the performance year. She must similarly meet with any payer or provider entity upon its request to review and validate the quality data she collected and, if necessary, amend her findings before making a determination.

Within 30 days of making these identifications, the act requires the executive director to notify the payer or provider entity, in a form and manner she prescribes, (1) that she identified its failure to meet a health care benchmark or spending target

and (2) the factual basis for her identification.

Other Contributing Entities. Beginning in 2023, if the executive director determines that the annual percentage change in total health care expenditures for the performance year exceeded the health care cost growth benchmark, then the act requires her to identify any entity that significantly contributed to exceeding the benchmark. Under the act, an “other entity” is a pharmacy benefit manager (PBM), provider that is not a provider entity, or a drug manufacturer. She must do this for each calendar year by May 1, based on the following:

1. the OHS total health care expenditure annual report;
2. annual reports that existing law requires PBMs to submit to the insurance commissioner on prescription drug rebates;
3. OHS’s annual list of up to 10 outpatient prescription drugs that are either provided at substantial cost to the state or critical to public health, required under existing law;
4. information from the state’s all-payer claims database; and
5. any other information that the executive director in her discretion deems relevant.

The act requires the executive director to also account for costs, net of rebates and discounts, when identifying these entities.

Annual Informational Public Hearings. The act requires the executive director to annually hold informational public hearings as follows:

1. starting by June 30, 2023, to compare the growth in total health care expenditures in the performance year to the associated health care cost growth benchmark and
2. starting by June 30, 2024, to compare the performance of payers and provider entities in the performance year to the associated health care quality benchmark.

Hearings on Total Health Care Expenditures. The act requires annual informational public hearings on health care expenditures to examine (1) OHS’s most recent annual total health care expenditure report; (2) payer and provider entity expenditures, including health care cost trends, primary care spending as a percentage of total medical expenses, and the factors contributing to them; and (3) any other matters the executive director deems relevant.

The act allows the executive director to require hearing participation from any payer or provider entity that she determines is a significant contributor to the state’s health care cost growth or has failed to meet the primary care spending target for that year. These entities must testify on the issues the executive director identifies and provide additional information on actions they have taken to (1) reduce their contribution to future state health care costs and expenditures and (2) increase their primary care spending as a percentage of total medical expenses.

Similarly, the executive director may also require participation in the hearing by any other entity she determines is a significant contributor to the state’s health care cost growth during the performance year. These entities must also provide testimony and additional information in the same manner as payers and provider entities described above. If the other entity is a drug manufacturer whose participation is required with respect to a specific drug or drug class, then the act

permits the hearing, to the extent possible, to include representatives from at least one brand-name manufacturer; one generic manufacturer; and one innovator company that is less than 10 years old.

Hearings on Quality Performance Benchmarks. The act requires the annual informational public hearing on provider entity quality performance to examine the most recent OHS annual report on health care quality benchmarks and any other matters that the executive director deems relevant.

Under the act, the executive director may require hearing participation from any payer or provider entity that she determines failed to meet the health care quality benchmarks during the performance year. Payers or provider entities required to participate must provide testimony on issues the executive director identifies and additional information on actions they have taken to improve their quality benchmark performance.

Annual Legislative Reports on Public Hearing Information. The act requires the OHS executive director, starting by October 15, 2023, to report annually to the Insurance and Public Health committees on her analysis of the information submitted during the most recent informational public hearing on total health care expenditures. The report must do the following:

1. describe health care spending trends in the state, including trends in primary care spending as a percentage of total medical expenses, and the factors underlying these trends;
2. include any findings from the total health care expenditure report;
3. describe how to monitor any unintended adverse consequences from the cost growth benchmarks and primary care spending targets, as well as any findings from doing so; and
4. disclose the office's recommendations, if any, on strategies to increase the efficiency of the state's health care system, including any recommended legislative changes.

Additionally, the act requires the executive director, starting by October 15, 2024, to report annually to the Insurance and Public Health committees on her analysis of the information submitted during the most recent informational public hearing on health care quality benchmarks. In the report, the executive director must (1) describe health care quality trends in the state and their underlying factors; (2) include the findings from the health care quality benchmark report; and (3) disclose the office's recommendations, if any, on strategies to improve the quality of the state's health care system, including any recommended legislative changes.

§ 224 — HEALTH ENHANCEMENT PROGRAMS

Requires health carriers to develop at least two health enhancement programs by January 1, 2024, provide incentives for their use, and cover associated costs

The act requires health carriers to develop at least two health enhancement programs (HEPs) by January 1, 2024. Under the act, an HEP is a health benefit program that ensures access and removes barriers to essential, high-value clinical services.

The act requires each HEP to (1) be available to each insured under the health

OLR PUBLIC ACT SUMMARY

insurance policy and (2) provide incentives for choosing to complete certain preventive examinations and screenings the U.S. Preventive Services Task Force recommends with an “A” or “B” rating.

The act prohibits an HEP from imposing any penalty or negative incentive on an insured. It also specifies that an insured cannot be required to participate in an HEP.

Additionally, the act requires certain individual and group health insurance policies to cover the HEPs. It authorizes the insurance commissioner to adopt related implementing regulations.

The act’s HEP provisions apply to individual and group health insurance policies delivered, issued, renewed, amended, or continued in Connecticut that cover (1) basic hospital expenses; (2) basic medical-surgical expenses; (3) major medical expenses; or (4) hospital or medical services, including those provided under an HMO plan.

EFFECTIVE DATE: January 1, 2023

§§ 225 & 226 — CERTIFICATE OF NEED APPLICATION FEE AND TERMINATION OF SERVICES

Increases the certificate of need application fee for health care institutions based on a project’s cost; defines “termination of services” to mean ending services for more than 180 days

Under the CON law, health care institutions (e.g., hospitals, freestanding emergency departments, and outpatient surgical facilities) must generally receive approval from the Office of Health Strategy when establishing new facilities or services, changing ownership, acquiring certain equipment, or terminating services. For purposes of applying the CON requirements, the act defines “termination of services” to mean ending services for more than 180 days.

The act also increases the nonrefundable CON application fee from \$500 to a range of \$1,000 to \$10,000, depending on the proposed project’s cost as shown in the table below.

CON Application Fees Under the Act

Application Fee	Project Cost
\$1,000	Up to \$50,000
2,000	>\$50,000 and up to \$100,000
3,000	>\$100,000 and up to \$500,000
4,000	>\$500,000 and up to \$1 million
5,000	>\$1 million and up to \$5 million
8,000	>\$5 million and up to \$10 million
10,000	>\$10 million

EFFECTIVE DATE: Upon passage

§§ 227 & 250 — OHS EXECUTIVE DIRECTOR AS STATUTORY DEPARTMENT HEAD

OLR PUBLIC ACT SUMMARY

Retains the OHS executive director as a statutory department head and makes a technical change

Under prior law, the OHS executive director was scheduled to be removed from the list of statutory department heads as of July 1, 2022. The act reverses this scheduled removal and retains the executive director as a department head on and after that date.

The act also makes a technical change to reflect that the former Department of Rehabilitation Services has been renamed as the Department of Aging and Disability Services (§ 250).

EFFECTIVE DATE: July 1, 2022

§ 228 — OPTICAL STORES REMAINING OPEN WITHOUT OPTICIAN PRESENT

Allows optical stores, in limited circumstances, to remain open for up to four consecutive days without an optician's supervision, and limits the activities that the store's owners or employees may perform during these periods

Existing law generally prohibits the retail sale of prescription eyeglasses, contact lenses, and related products (including non-corrective cosmetic contact lens) except (1) under a licensed optician's supervision and (2) in a registered optical establishment, office, or store ("establishment") that has a DPH optical selling permit. (There is an exception for licensed optometrists and ophthalmologists dispensing items to their patients.)

The act generally specifies that an optician must provide direct supervision over the sale of these products. But it allows optical establishments to remain open during regular business hours without an optician's supervision, under limited circumstances, for up to four consecutive business days.

During these periods, the act prohibits these establishments' owners or employees from taking various actions, such as selling these products or taking someone's related measurements. It makes a violation of this prohibition an unfair trade practice.

EFFECTIVE DATE: October 1, 2022

Conditions Allowing Optical Establishments to Remain Open in Absence of Optician

Under the act, a DPH-registered optical establishment may remain open to the public during regular business hours, without an optician's supervision, for up to four consecutive business days under the following conditions: (1) there are reasonably unanticipated circumstances (see below), (2) the establishment took reasonable action to have another optician present, and (3) the establishment posts a clear and conspicuous sign that an optician is not on site (see below).

Under the act, reasonably unanticipated circumstances for these purposes include at least the following: the optician's illness, injury, family emergency, or termination or resignation from the establishment.

The required sign must state the following:

**NO LICENSED OPTICIAN ON PREMISES:
CONNECTICUT LAW PROHIBITS ACTIVITIES BY EMPLOYEES
RELATED TO PRESCRIPTION EYEGLASSES OR CONTACT LENSES,
INCLUDING MEASURING, SELLING, OR ORDERING IN ANY MANNER,
FITTING, DELIVERING OR DISPENSING PRESCRIPTION EYEWEAR
UNTIL THE OPTICIAN RETURNS.**

During these periods when an optical establishment is open without an optician's supervision, the act prohibits the establishment's owners or employees from doing the following:

1. selling or ordering prescription eyeglasses, contact lenses, and related products (including non-corrective contact lenses);
2. performing measurements on any individual for these products, including determining interpupillary distance, vertical fit heights, and using frame size, bridge size, and temple length to recommend the fit of a frame;
3. making medically relevant recommendations for these products, including frame type, lens style or material, lens tint, or multifocal type, or any recommendations for any specific type of contact lenses or disinfection system for them;
4. fitting, adjusting, or otherwise altering or manipulating these products;
5. delivering these products; or
6. transacting an online sale for these products.

§ 229 — BUDGET RESERVE FUND SURPLUS

Prescribes, through FY 23, the order in which the state treasurer must transfer excess BRF funds to reduce the state's unfunded pension liability

Existing law establishes the Budget Reserve Fund (BRF) and authorizes it to hold up to 15% of net general fund appropriations for the current fiscal year. Once the BRF reaches this limit, the law requires the state treasurer to transfer any remaining General Fund surplus, as he determines to be in the state's best interests, for reducing either the State Employees Retirement Fund's or Teachers' Retirement Fund's unfunded liability by up to 5%. Any amounts that remain after this transfer may be used to make additional payments to either retirement system, as the treasurer determines to be in the state's best interests, or to pay off other forms of outstanding state debt (CGS § 4-30a(c)).

The act requires the treasurer, from May 7, 2022, through the end of FY 23, to determine that it is in the state's best interest to appropriate the excess funds as follows:

1. first to reduce the State Employees Retirement Fund's unfunded liability by up to 5%,
2. second to reduce the Teachers' Retirement Fund's unfunded liability by up to 5%, and
3. third to make additional payments toward the State Employees Retirement System.

EFFECTIVE DATE: Upon passage

§ 230 — MINIMUM RATE FOR ICF-IIDS

Requires DSS to increase the minimum per diem, per bed rate for ICF-IIDS to \$501

The act requires DSS to increase the minimum per diem, per bed rate to \$501 for intermediate care facilities for individuals with intellectual disability (ICF-IIDS).

EFFECTIVE DATE: July 1, 2022

§ 231 — DPH STUDENT LOAN REPAYMENT PROGRAM

Requires providers participating in DPH's Student Loan Repayment Program to provide behavioral health services and expands the types of clinicians that the program may recruit

The act broadens DPH's Student Loan Repayment Program to require community-based providers to provide, or arrange access to, behavioral health services in addition to other services currently required (e.g., primary and preventative health services). It also expands the types of primary care clinicians that may be recruited through the program to include psychiatrists, psychologists, licensed clinical social workers, licensed marriage and family therapists, and licensed professional counselors. (PA 22-81, § 28, also makes these changes and includes additional requirements for FY 23.)

By law, the program provides three-year grants to community-based primary care providers to expand health care access to the uninsured by (1) funding direct services, (2) recruiting and retaining primary care clinicians and registered nurses through salary subsidies or loan repayment programs, and (3) funding capital expenditures. In practice, the program generally repays education loans in exchange for a specified period of employment in federally designated health professional shortage areas.

EFFECTIVE DATE: Upon passage

§§ 232 & 233 — MEDICAL ASSISTANCE AND IMMIGRATION

Expands eligibility for state-funded medical assistance provided regardless of immigration status to cover children ages 12 and under, rather than ages 8 and under, and requires children eligible for the assistance to continue receiving it until they are age 19

By January 1, 2023, existing law requires the DSS commissioner to provide state-funded medical assistance, within available appropriations, to certain children regardless of their immigration status. Under the law, DSS must provide the assistance to children who are not eligible for Medicaid, the Children's Health Insurance Program (CHIP), or affordable employer-sponsored insurance, and have household incomes (1) up to 201% of the federal poverty limit (FPL) without an asset limit (aligning with HUSKY A limits under Medicaid) or (2) over 201% and up to 323% of FPL (generally aligning with HUSKY B limits under CHIP).

The act expands eligibility for this assistance by requiring DSS to provide it to children ages 12 and under, rather than ages 8 and under as prior law required.

OLR PUBLIC ACT SUMMARY

Under the act, a child who is eligible for assistance under these provisions must continue to receive it until he or she is 19 years old, so long as he or she continues to (1) meet income requirements and (2) be ineligible for Medicaid, CHIP, or affordable employer-sponsored insurance.

EFFECTIVE DATE: Upon passage

§ 234 — CHCPE COST SHARING REDUCTION

Reduces, from 4.5% to 3%, the required cost sharing for participants in the state-funded portion of the Connecticut Homecare Program for Elders

The act reduces cost sharing for the state-funded portion of the Connecticut Homecare Program for Elders (CHCPE) from 4.5% to 3% of service costs as shown in the table below.

CHCPE Participant Cost Sharing Under Prior Law and the Act

Participant Category	Cost Sharing Under Prior Law	Cost Sharing Under the Act
Participants with income at or below 200% FPL* and Medicaid-ineligible	4.5% of care costs/month	3% of care costs/month
Participants with income greater than 200% FPL	4.5% of care costs/month and an applied income amount (calculated by subtracting certain personal needs allowances from their gross income)	3% of care costs/month and the applied income amount
Participants living in government-subsidized affordable housing programs	An applied income copay if income is greater than 200% FPL	No change
*In 2022, 200% of the FPL is \$27,180 for an individual and \$36,620 for a family of two		

CHCPE is a Medicaid-waiver and state-funded program that provides a range of home- and community-based services for eligible people ages 65 or older who are at risk of inappropriate institutionalization (e.g., nursing home placement). In comparison to the Medicaid-waiver component, the program's state-funded portion has no income limit and has higher asset limits. The state has authority to limit program enrollment or make wait lists based on available resources.

EFFECTIVE DATE: July 1, 2022

§ 235 — COMMUNITY SPOUSE PROTECTED AMOUNT

Increases the minimum amount of assets an institutionalized Medicaid recipient's spouse may keep from \$27,480 (in 2022) to \$50,000 and requires DSS to report on the change to the Aging, Appropriations, and Human Services committees

The act requires DSS to increase the minimum amount of allowable assets kept

by the spouse of a Medicaid recipient residing in a medical or long-term care facility (i.e., “community spouse protected amount” (CSPA)). Under prior law, the spouse could keep the greater of (1) the federal minimum CSPA (\$27,480 in 2022) or (2) half the couple’s combined assets, up to the federal maximum CSPA (\$137,400 in 2022). The act raises the state minimum CSPA to \$50,000.

It also requires the DSS commissioner to report by July 1, 2023, to the Aging, Appropriations, and Human Services committees on (1) how many community spouses were able to keep additional assets due to the raised minimum and (2) the cost to the state for raising the minimum.

The act allows the DSS commissioner to adopt regulations to implement its provisions.

EFFECTIVE DATE: July 1, 2022

Background — CSPA

When an institutionalized Medicaid recipient has a spouse living at home, federal law allows the spouse to keep some of the couple’s assets to prevent his or her impoverishment (i.e., CSPA). Federal law sets the minimum and maximum CSPAs, and the state must update the amounts each year.

Background — Related Act

PA 22-121 requires the DSS commissioner to study the cost and feasibility of allowing a community spouse to retain the maximum amount of assets allowed under federal Medicaid law (i.e., federal maximum CSPA).

§§ 236 & 237 — TEMPORARY FAMILY ASSISTANCE (TFA) STANDARDS

Beginning in FY 23, sets the income limit for the TFA program at 55% FPL, rather than a regional standard

To be eligible for TFA, Connecticut’s cash assistance program, a family must (1) have a dependent child (or pregnancy) and (2) meet income and asset limits. The monthly income limit for TFA applicants is known as the standard of need (SON), which represents the amount necessary to meet a family’s normal, recurring, basic needs. Under prior law, the DSS commissioner was required to set the SON based on the cost of living in the state. As a result, the SON depended on the applicant’s (1) family size and (2) region of residence. Beginning in FY 23, the act eliminates the requirement that the commissioner set the SON and instead sets it at 55% of FPL. (In 2022, 55% of the FPL is \$10,071 for a family of two and \$12,667 for a family of three.) It also appears to similarly eliminate an obsolete requirement for the commissioner to set a SON for the state-administered general assistance program.

In doing so, the act replaces regional variability in TFA program standards with one consistent statewide standard that will be adjusted annually based on the U.S. Department of Health and Human Services’ annual calculation of the FPL.

The TFA benefit amount is based on a payment standard (i.e., 73% of the SON

in effect on June 30, 1995, under its predecessor program, Aid to Families with Dependent Children) that also depends on family size and region. Except for certain exempted fiscal years, prior law generally required the DSS commissioner to annually increase these payment standards by the average percentage increase in the consumer price index for urban consumers (CPI-U) but capped it at 5%. The act eliminates this annual increase requirement for the TFA program and instead, beginning in FY 23, sets the payment standard at 73% of the new TFA SON or approximately 40% of the FPL.

It also makes conforming changes to eliminate references to regional standards under HUSKY C, which provides Medicaid coverage for people who are at least age 65, blind, or living with a disability. Under existing law and the act, the HUSKY C income limit is 143% of the TFA benefit amount for a person with no income (effectively equivalent to 57.5% FPL).

EFFECTIVE DATE: July 1, 2022

§ 238 — MEDICAID REIMBURSEMENT FOR VENTILATOR BEDS

For FY 23, requires the DSS commissioner to amend the Medicaid state plan to increase the per diem reimbursement rate for chronic disease hospitals by \$500 for ventilator beds

For FY 23, the act requires the DSS commissioner to amend the Medicaid state plan to increase the per diem reimbursement rate for chronic disease hospitals by \$500 for beds provided to patients on ventilators.

EFFECTIVE DATE: July 1, 2022

§ 239 — FQHC PAYMENTS

Requires DSS to reimburse FQHCs (1) on an all-inclusive encounter rate per client encounter, based on a prospective payment system under federal law, and (2) according to requirements in existing state regulations; prohibits FQHCs from providing nonemergency, periodic dental services on different dates of service to enable billing for separate encounters

The act establishes several requirements related to DSS's payments to federally qualified health centers (FQHCs) for services provided under medical assistance programs (e.g., Medicaid). These requirements include, among other things, limitations on payments for nonemergency dental visits at FQHCs.

Prior law authorized, but did not require, DSS to reimburse FQHCs for multiple services provided in a day, regardless of the type of services the center provided. Generally, the act instead requires DSS to reimburse FQHCs (1) on an all-inclusive encounter rate per client encounter, based on a prospective payment system under federal law and state regulations, and (2) according to requirements in state regulations (see *Background*). For reimbursement purposes, the act considers the following types of patient encounters to be single encounters: (1) an encounter with more than one health professional for the same type of service and (2) multiple interactions with the same health professional that occur on the same day, unless a patient suffers illness or injury after the first encounter and requires additional diagnosis and treatment.

The act prohibits FQHCs from providing nonemergency, periodic dental

services on different dates of service to enable billing for separate encounters. It requires FQHCs to complete these services in one visit (e.g., exams, prophylaxis, and radiographs such as bitewings, complete series, and periapical imaging). The act makes second visits to complete any service normally included during a nonemergency periodic dental visit ineligible for reimbursement unless the visit is medically necessary and clearly documented that way in the patient's dental record.

The act also eliminates an obsolete reporting requirement.

EFFECTIVE DATE: July 1, 2022

Background — Prospective Payment System

Federal law allows states to pay FQHCs an amount calculated on a per visit basis and based on the FQHC's costs for providing service in a previous year, adjusted by the Medicare Economic Index (a measurement of inflation in health care costs) and any changes to the FQHC's scope of services. The law also allows states to use an alternative payment methodology if (1) the state and the FQHC agree and (2) it results in a payment at least equal to the above (42 U.S.C. § 1396a(bb)).

Background — State Regulations for FQHCs

State regulations limit FQHC claims to one all-inclusive encounter per day, including all services received by a client on the same day, unless (1) the client suffers an illness or injury after the first encounter that requires additional diagnosis or treatment or (2) the client has different types of visits on the same day (e.g., medical and dental or medical and behavioral health). Under the regulations, Medicaid pays for one medical, one dental, and one behavioral health encounter per day (Conn. Agencies Regs. § 17b-262-1002).

§§ 240 & 241 — COMMUNITY HEALTH WORKER GRANT PROGRAM

Transfers DPH's Community Health Worker Grant Program to DSS, increases the individual and aggregate caps on program grants, and extends the program by one year

The act transfers the Community Health Worker Grant Program established in last year's budget act from DPH to DSS (PA 21-2, June Special Session (JSS), §§ 36 & 37). In doing so, it requires DSS to review program applications and allows the department to enter into agreements with people, firms, corporations, or other entities to operate the program. The program gives grants to community action agencies (CAAs) that employ community health workers serving people adversely affected by the COVID-19 pandemic. Under the act, CAAs that seek to employ these workers are also eligible.

Prior law capped the amount of any grant issued under the program at \$30,000 annually. The act increases this to \$40,000 and specifies that this is the amount of funding that a CAA may receive per year for each community health worker it employs. The act increases, from \$6 million to \$7 million, the cap on the total amount of grants issued under the program. It also requires DPH to transfer to DSS

\$3 million allocated for the program for each year in FYs 22 and 23 in last year's budget act (PA 21-2, JSS, § 306).

The act expands the information that CAAs must include in a grant application to include strategies for integrating community health workers into a person's care delivery team, including the capacity to address health care and social service needs. Under the act, the application must include both the number of health workers the CAA employs and the number it seeks to employ, rather than one or the other as under prior law.

Prior law prohibited the department from issuing grants after June 30, 2023. The act delays this deadline by one year to June 30, 2024, and correspondingly extends the period for grant availability as posted on the department's website.

The act eliminates an outdated requirement that the DPH commissioner report to the Human Services and Public Health committees on the program's progress and any legislative proposals. But it retains a second reporting requirement for the program, due January 1, 2024, and makes a conforming change to require DSS to make the report instead of DPH.

EFFECTIVE DATE: Upon passage

§ 242 — TEMPORARY FINANCIAL RELIEF FOR NURSING HOMES

Eliminates requirements for how DSS must allocate \$10 million in ARPA funds for nursing homes

By law, DSS must provide temporary financial relief for nursing homes from the \$10 million in federal funds allocated to DSS under ARPA (P.L. 117-2). The act eliminates provisions requiring DSS to (1) allocate grants based on the difference between the issued and calculated nursing home reimbursement rate and (2) issue these as one-time grants, adjusted proportionally based on available funding.

EFFECTIVE DATE: Upon passage

§ 243 — COMMUNITY OMBUDSMAN PROGRAM

Creates a Community Ombudsman program to, among other things, respond to complaints about long-term services and supports provided in DSS-administered home and community-based programs (repealed and replaced by PA 22-146 §§ 7 & 29)

The act creates a Community Ombudsman program within the Office of the Long-Term Care (LTC) Ombudsman. It charges the program with, among other things, responding to complaints about long-term services and supports provided to adults in home and community-based programs administered by DSS. (PA 22-146, § 29 repealed this provision and PA 22-146, § 7 replaced it with a similar program within available appropriations.)

Under the act, by October 1, 2022, the LTC Ombudsman must (1) appoint a community ombudsman program supervisor and up to 12 regional community ombudsmen and (2) hire up to two administrative staff, all of whom report to the LTC Ombudsman. Among other things, the act requires the LTC Ombudsman, program supervisor, and regional community ombudsmen to ensure that any home

care recipient's health data obtained by the program is protected according to the Health Insurance Portability and Accountability Act (HIPAA).

Under the act, a "home care provider" is a person or organization, including a home health agency, hospice agency, or homemaker-companion agency. "Long-term services and supports" are (1) health, health-related, personal care, and social services for people with physical, cognitive, or mental health conditions or disabilities to help with optimal functioning and quality of life or (2) hospice care for people nearing the end of their lives.

EFFECTIVE DATE: July 1, 2022

Community Ombudsmen Duties

The act requires the program supervisor and regional community ombudsmen to:

1. have access to data on LTC services and supports provided by a home care provider to a client, if the client or his or her authorized representative generally consents in writing (see below);
2. identify, investigate, refer, and resolve complaints about home care services;
3. raise public awareness about home care and the program;
4. advocate for LTC options and promote access to home care services;
5. coach people in self-advocacy; and
6. provide referrals to home care clients.

The act grants the ombudsmen access to data without a client's written consent if he or she cannot provide it due to (1) a physical, cognitive, or mental health condition or disability and (2) the lack of an authorized representative. In this case, the program supervisor must determine that the data is necessary to investigate a complaint about the client's care.

LTC Ombudsman Oversight

The act requires the LTC Ombudsman's office to oversee the community ombudsman program and provide administrative and organizational support by:

1. developing and implementing a public awareness strategy;
2. applying for, or collaborating with other state agencies to apply for, available federal funding;
3. collaborating with administrators of other states' programs and services to design and carry out an agenda promoting the rights of elderly people and people with disabilities;
4. providing information to public and private agencies, elected and appointed officials, and the media on home care recipients' problems and concerns;
5. advocating for improvements in the home and community-based long-term services and supports system; and
6. recommending changes in federal, state, and local laws, regulations, policies, and actions pertaining to the health, safety, welfare, and rights of home care recipients.

OLR PUBLIC ACT SUMMARY

Starting by December 1, 2023, the LTC Ombudsman must annually report to the Aging, Human Services, and Public Health committees on (1) the program's public awareness strategy implementation, (2) the number of people served, (3) the number of home care complaints filed, (4) the disposition of these complaints, and (5) any gaps in services and resources needed to address them.

§§ 244 & 245 — BAN ON NON-COMPETE CONTRACTS

Prohibits contracts between a homemaker-companion agency or home health agency and a client from including a "no-hire" clause

The act prohibits contracts between a homemaker-companion agency or home health agency and a client from including a "no-hire" clause that, should the client directly hire an agency employee, (1) imposes a financial penalty; (2) assesses any charges or fees, including legal fees; or (3) contains language that can create grounds for a breach of contract assertion or a claim for damages or injunctive relief. It does so by expressly deeming the clauses against public policy and void.

Under existing law, homemaker, companion, or home health services contract provisions that restrict a person's right to provide these services in any area of the state for any time period or to a specific person (i.e., a "covenant not to compete") are also against public policy, void, and unenforceable (CGS § 20-681).

EFFECTIVE DATE: Upon passage

§ 246 — LONG-ACTING CONTRACEPTIVES AT FQHCS

Requires the DSS commissioner to allocate \$2 million from FY 23 federal funds allocated to the department, for the purchase and provision of long-acting reversible contraceptives by federally qualified health centers

The act requires the DSS commissioner to allocate \$2 million for the purchase and provision of long-acting reversible contraceptives by FQHCs from the federal funds allocated to the department for FY 23, according to relevant ARPA provisions.

EFFECTIVE DATE: July 1, 2022

§ 247 — MEDICAID COVERAGE OF NATUROPATH SERVICES

Requires the state's Medicaid program to cover services provided by licensed naturopaths

The act requires the DSS commissioner to amend the Medicaid state plan by October 1, 2022, to provide Medicaid coverage for services provided by a licensed naturopath.

By law, the practice of naturopathy means the science, art, and practice of healing by natural methods as recognized by the Council of Naturopathic Medical Education. It includes disease diagnosis, prevention, and treatment and health optimization by stimulating and supporting the body's natural healing processes, as approved by the State Board of Naturopathic Examiners with the consent of the

Department of Public Health commissioner (CGS § 20-34).

EFFECTIVE DATE: Upon passage

§ 248 — BAN ON RECOVERING FEDERAL FUNDS FROM PROVIDERS

Prohibits state agencies that contract with health and human services providers from trying to recover or otherwise offset federal ARPA funds for home- and community-based services

The act prohibits state agencies that contract with health and human services providers from trying to recover or otherwise offset certain federal funds obtained or retained by a provider. The prohibition applies to home- and community-based services provider payments disbursed by state agencies that received funding for the payments under ARPA (P.L. 117-2, § 9817). The act prohibits state agencies from (1) reducing contracted amounts for the same or similar services from one contract period to the next contract period or (2) demanding reimbursement in the amount of any home- and community-based services provider payments. (PA 22-146, §§ 15 & 30, repeals this provision and replaces it with a similar prohibition that additionally specifies that it does not require state agencies to take action that would jeopardize federal claims or Medicaid reimbursements.)

EFFECTIVE DATE: Upon passage

§ 249 — COLAS FOR PROVIDERS CONTRACTING WITH DDS

Requires OPM to disburse unallocated funds for FYs 22 and 23 to state-contracted providers of DDS services as COLAs

PA 21-2, JSS, § 341, requires OPM to allocate available funds for FYs 22 and 23 to increase rates to state-contracted providers for wage enhancements and related payroll taxes, workers compensation, and unemployment insurance expenses for employees providing services to people with intellectual disabilities who receive supports and services through DDS. Under the act, if the OPM secretary allocates funds for these purposes and available funds remain unallocated for FYs 22 and 23, OPM must disburse the funds as a COLA to state-contracted providers delivering services and supports through DDS.

EFFECTIVE DATE: Upon passage

§§ 251 & 252 — COVERED CONNECTICUT

Transfers the administration of the Covered Connecticut program from OHS to DSS; expands coverage to include disabled adult children and certain other dependents; replaces a biannual reporting requirement with an annual one beginning in 2024

The act transfers administration of the Covered Connecticut program from OHS to DSS and expands program eligibility to include disabled adult children and certain other dependents. By law, Covered Connecticut is a two-phase program that provides eligible people health insurance at no out-of-pocket cost to them.

EFFECTIVE DATE: Upon passage

Program Transfer From OHS to DSS

The act generally requires DSS to administer the program under the same conditions and requirements that prior law imposed on OHS. For example, it requires DSS, instead of OHS, to make certain reports and consult for various program purposes with the Insurance Department and the Connecticut Health Insurance Exchange. It also requires DSS to consult with OHS about certain program functions, rather than the other way around.

However, the act does not transfer OHS's existing authority to seek a Section 1332 waiver to advance the Covered Connecticut program's purposes. Under existing law, if approved by the federal government, OHS must implement the waiver.

New Phase 1 Eligibility Requirements

Under existing law (i.e., Phase 1), the program must provide enough premium and cost-sharing subsidies to ensure fully subsidized coverage to parents and needy caretaker relatives, and their tax dependents that are 26 or younger, if the parents or needy caretaker relatives:

1. are eligible for premium and cost-sharing subsidies for a qualified health plan (QHP), but over-income for Medicaid;
2. have household income up to 175% of FPL; and
3. are covered by a silver-level health plan offered on the exchange.

The act limits eligibility to people who meet the criteria described above and also use the full amount of their premium subsidies on their QHP.

Expanded Eligibility for Phase 2

Under the act, Covered Connecticut expands eligibility to all low-income adults between ages 19 and 64, instead of only nonpregnant low-income adults between ages 18 and 64 as under prior law. These people must meet all eligibility requirements in existing law, as described above, plus the act's additional requirement that they must use the full amount of their premium subsidies on their QHP.

Expanded Eligibility for Phases 1 and 2

Beginning July 1, 2021, for people eligible for Phase 1 coverage, and July 1, 2022, for people eligible for Phase 2 coverage, Covered Connecticut must also provide subsidized coverage for the following family members of otherwise eligible parents and caretaker relatives:

1. permanently and totally disabled children over age 26;
2. children older than age 26 who are incapable of self-sustaining employment due to a mental or physical handicap and who are dependent upon the parent or caretaker relative for support and maintenance; or
3. a child or stepchild covered by the QHP (beginning July 1, 2022, coverage

extends to children or stepchildren, without specifying they must be covered by the QHP).

Beginning no earlier than July 1, 2022, prior law required OHS to provide dental benefits and nonemergency medical transportation services, as those services are provided under Medicaid, to people eligible for Covered Connecticut. In addition to requiring that DSS, not OHS, provide these services, the act extends these dental benefits and nonemergency transportation services to the newly eligible people as well.

Reporting Requirements

Under prior law, every six months OHS had to report Covered Connecticut's operations, finances, and progress over the preceding six months to the Appropriations, Human Services, and Insurance and Real Estate committees. In addition to requiring the DSS commissioner to make this report instead of OHS, the act makes this biannual report an annual one beginning in 2024. It correspondingly requires the report to contain information from the preceding year, instead of the preceding six months.

§ 253 — YOUTH SERVICE BUREAU GRANTS

Makes FY 22 YSB applicants eligible for a state grant

By law, the Department of Children and Families commissioner must establish a youth service bureau (YSB) grant program that, within available appropriations, awards \$14,000 grants to eligible bureaus.

The act makes YSBs that applied for a grant during FY 22 eligible for one. Prior law limited eligibility to applicants who applied for the grant during other specified fiscal years, most recently FY 21.

By law, YSBs coordinate community-based services that provide prevention and intervention programs for delinquent, pre-delinquent, pregnant, parenting, and troubled youths referred to them by schools, police, and juvenile courts, among others (CGS § 10-19m).

EFFECTIVE DATE: July 1, 2022

§ 254 — REDUCED TUITION PAYMENTS TO MAGNET SCHOOLS

Beginning in FY 23, lowers the enrollment threshold that triggers the reduced tuition rate for East Hartford's tuition due to magnet schools and applies the same enrollment threshold and reduced tuition rate to Manchester; applies the same enrollment threshold and reduced tuition rate to all other Sheff region towns, New Britain, and New London for FY 23 only; makes SDE financially responsible, within available appropriations, for magnet tuition losses from these reduced tuition rates

East Hartford Tuition Payments to Magnet Schools

Beginning in FY 23, the act lowers the magnet school enrollment threshold that triggers the reduced tuition rate East Hartford must pay to magnet schools. Under

prior law, if more than 7% of the district's student population attended magnet schools, then the district was not responsible for the first \$4,400 of tuition for each student exceeding the 7% threshold. The act lowers this threshold to 4% of the district's student population.

Manchester Tuition Payments to Magnet Schools

Beginning in FY 23, the act reduces the tuition amount Manchester must pay to magnet schools if more than 4% of the district's student population attends magnet schools. For each student exceeding the 4% threshold, the district is not responsible for the first \$4,400 of tuition.

Sheff Region Towns, New Britain, and New London

For FY 23 only, the act reduces the tuition amount that the following school districts must pay to magnet schools if more than 4% of their district's student population attends magnet schools: (1) the board of education of any town located in the *Sheff* region (see *Background*, below) other than East Hartford and Manchester, (2) New Britain, and (3) New London. For each student exceeding the 4% threshold, school districts in these towns are not responsible for the first \$4,400 of tuition.

SDE Responsibility for Magnet School Tuition Losses

Under the act, SDE, within available appropriations, is financially responsible for the excess tuition due to the magnet schools billing East Hartford and, beginning in FY 23, Manchester. If these amounts are greater than the appropriated amount in a fiscal year, then SDE must reduce the grant amounts awarded to both towns proportionally.

Similarly, SDE, within available appropriations, is financially responsible under the act for the excess tuition due to the magnet schools billing (1) other *Sheff* region towns, (2) New Britain, and (3) New London. However, the act limits this responsibility to FY 23 only. Also, if this amount due to the magnet schools is greater than the amount allocated for that fiscal year from the federal ARPA funds designated for the state, then SDE must proportionally reduce the grant amounts awarded to these towns.

EFFECTIVE DATE: July 1, 2022

Background — Sheff Region Towns

This region includes the school districts of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor, and Windsor Locks.

§ 255 — ADULT EDUCATION PROGRAM GRANT CAP

OLR PUBLIC ACT SUMMARY

Accelerates the grant cap's sunset date by one year

The act accelerates the sunset date for the cap on the state's adult education program grant for towns, regional boards of education, and regional education service centers to the end of FY 22, lifting the cap for FY 23. (Under prior law, the cap sunset started in FY 24.) The cap proportionately reduced grant amounts if the state budget appropriations did not fully fund the amounts required by the respective statutory formulas.

EFFECTIVE DATE: July 1, 2022

§ 256 — CHARTER SCHOOL OPERATING GRANTS

Increases the charter grant adjustment percentage, from 14.76% to 25.42%, in the FY 23 charter school per-student operating grant formula

By law, state charter school operating grants are calculated using a weighted per-student formula based on student need. The weighted grant is based on the existing Education Cost Sharing (ECS) grant foundation.

Prior law required a state charter school's fiscal authority to receive a per-student grant in FY 23, calculated using the following formula: the ECS foundation grant amount (\$11,525) plus 14.76% of its charter grant adjustment (see *Background*, below). The act increases the FY 23 charter grant adjustment percentage to 25.42%, moving these schools closer to a fully-funded operating grant based on student need.

EFFECTIVE DATE: July 1, 2022

Background — “Charter Grant Adjustment” Formula Component

By law, “charter grant adjustment” means the absolute value of the difference between the (1) ECS foundation (i.e., \$11,525) and (2) product of the total charter need students and the foundation, divided by the number of enrolled students under the governing authority's control for the school year.

“Total charter need students” is the sum of the following:

1. enrolled students at the state charter schools controlled by the governing authority for the school year, plus
2. the following value:
 - a. 25% of enrolled students who are English language learners; plus
 - b. 30% of enrolled students eligible for free or reduced-price meals or free milk; plus, for a school where this number exceeds 60% of the student population, 15% of that excess (CGS § 10-66ee(d), as amended by PA 21-2, JSS, § 352).

§§ 257 & 258 — PARAEDUCATOR PROFESSIONAL DEVELOPMENT

Requires boards of education to provide, and paraeducators to participate in, a professional development program beginning in the 2022-23 school year

OLR PUBLIC ACT SUMMARY

The act makes the following changes in the education laws relating to paraeducators:

1. beginning in the 2022-23 school year, requires school districts' professional development and evaluation committees to develop, evaluate, and annually update a comprehensive, local professional development plan for district paraeducators and
2. requires paraeducators employed by a local or regional board of education to annually participate in professional development beginning in the 2022-23 school year.

As defined by SDE, a paraeducator (i.e., “paraprofessional”) is an employee who helps teachers or other professional educators or therapists deliver instructional and related services to students.

EFFECTIVE DATE: July 1, 2022

Requirements for Paraeducator Professional Development

Under the act, boards must make available to paraeducators a free professional development program at least 18 hours long and delivered mostly as small group or individual instruction. The program must meet the following criteria:

1. be a comprehensive, sustained, and intensive approach to improving paraeducator effectiveness in increasing student knowledge achievement;
2. focus on refining and improving effective instruction methods shared by paraeducators;
3. foster collective responsibility for improved student performance; and
4. include training in culturally responsive pedagogy and practice.

Furthermore, the program must also be composed of professional learning that meets the following criteria:

1. is aligned with rigorous state student academic achievement standards;
2. is conducted among paraeducators at the school and facilitated by principals, coaches, mentors, distinguished educators, or other appropriate teachers;
3. occurs often on an individual basis or among groups of paraeducators in a job-embedded process of continuous improvement; and
4. includes a paraeducator-developed repository of instructional method best practices within each school that is continuously available for comment and updating.

The principles and practices of social-emotional learning and restorative practices must be integrated throughout the program’s components.

The act also requires boards to offer professional development activities to paraeducators as part of an individual paraeducator’s professional development plan or the district's comprehensive local professional development plan. These professional development activities may be made available directly by a board, through a regional educational service center (RESA) or cooperative arrangement with another board, or through arrangements with any SDE-approved professional development provider. The activities must be consistent with any goals the board and paraeducators identified.

§ 259 — OEC EMERGENCY STABILIZATION GRANT PROGRAM

For FYs 23 and 24, requires OEC to administer an emergency stabilization grant program for certain school readiness programs and state-contracted child care centers receiving state financial assistance

For FYs 23 and 24, the act requires OEC to administer an emergency stabilization grant program for school readiness programs and state-contracted child care centers for disadvantaged children receiving state financial assistance. By law, a school readiness program is a nonsectarian program for preschool-aged children that (1) meets OEC's standards and requirements under law and (2) provides a developmentally appropriate learning experience to eligible children for at least 450 hours and 180 days a year unless the office approves a waiver. A state-contracted child care center for disadvantaged children is developed and operated by municipalities, human resource development agencies, or a nonprofit corporation with state financial assistance.

Under the act, OEC must provide grants-in-aid to these school readiness programs and child care centers that apply on a form as the office prescribes and meet the eligibility criteria in the office's guidelines. Accordingly, the act requires OEC to develop (1) eligibility criteria and (2) guidelines for spending grant funds.

The school readiness program or child care center may spend grant funds for programmatic or administrative needs, according to the office's guidelines.

EFFECTIVE DATE: July 1, 2022

§ 260 — BILINGUAL EDUCATION GRANT

Increases funding for the state bilingual education grant from \$1.9 million to \$3.8 million a year

Beginning in FY 23, the act increases the annual state bilingual education grant from \$1,916,130 to \$3,832,260, within available appropriations. By law, grant funds are distributed proportionally to school districts that must provide bilingual education. Existing law, unchanged by the act, requires school districts to do this when there are at least 20 students in a public school who are classified as dominant in a language other than English and are not proficient in English.

The act also makes a conforming change.

EFFECTIVE DATE: July 1, 2022

§ 261 — THE GILBERT SCHOOL STUDY

Requires SDE to study the funding process for The Gilbert School

The act requires SDE to study the funding process for The Gilbert School and allows the department to consult with the school while conducting the study. By law, the State Board of Education (SBE) may approve any incorporated or endowed high school or academy, such as The Gilbert School, to receive students from any town that does not operate its own high school. (The Gilbert School serves as the public high school for Winchester and Hartland.) The sending town must pay the

entire tuition fees for the students it sends unless the school is under ecclesiastical (i.e., church) control (CGS § 10-34).

Under the act, the department must report the study results and any recommendations about the funding process for the school to the Education Committee by January 1, 2023.

EFFECTIVE DATE: July 1, 2022

§ 262 — MAGNET SCHOOL GRANT CHANGE

For FY 22, changes the per student grant amount for Thomas Edison Magnet School in Meriden

Education law contains a number of magnet school grants based on whether the school is operated by a school district or a RESC and other considerations such as the percentage of students it draws from the host town or sending towns.

By law, a RESC-operated magnet receives grants of \$8,344 for each student if it began operations in the 2001-2002 school year and enrolled 55% to 80% of its students from a single town for the 2008-2009 school year. However, it receives smaller grants for any students enrolled who exceeded the enrollment as of October 1, 2013. For those students, the grants are (1) \$3,060 if from the host town and (2) \$7,227 if not from the host town. The provision appears to only apply to the Thomas Edison Magnet School in Meriden.

The act makes a one-year exception to this law. For FY 22, any magnet operator under this law, or any successor operator, instead receives a grant of \$8,058 for all students enrolled for the 2021-2022 school year. The act does this by applying another magnet school grant to this magnet school. Specifically, it applies the existing provision for RESC magnets that are not within the *Sheff* region and have less than 55% enrollment from one town.

EFFECTIVE DATE: Upon passage

§ 263 — CLIMATE CHANGE CURRICULUM

Requires, rather than allows, climate change to be taught as part of the science requirement in public schools

The act requires, rather than allows, climate change to be taught as part of the science requirement in public schools' program of instruction. As under existing law, the curriculum must follow the Next Generation Science Standards (NGSS) adopted by SBE.

EFFECTIVE DATE: July 1, 2023

Background — NGSS

The NGSS are research-based science content standards for grades kindergarten to 12 adopted by SBE in 2015. The standards' foundational document provides that climate changes are significant and persistent changes in the average or extreme weather conditions of an area (National Research Council. 2012. *A Framework for K-12 Science Education: Practices, Crosscutting Concepts, and Core Ideas*.

Washington, DC: The National Academies Press).

§ 264 — SPECIAL EDUCATION EXPENDITURE STUDY

Requires SDE to compile and analyze school district special education expenditure information and report it to the Appropriations and Education committees by July 1, 2023

The act requires SDE to compile and analyze information from local and regional boards of education on special education costs. The department must identify boards of education with special education expenditures that are (1) two and a half times the district's net current expenditures per student for education, (2) three times the expenditures, (3) three and a half times the expenditures, and (4) four and a half times the expenditures.

The analysis must also include the cost to reimburse boards of education for their special education costs at each level of expenditure. By law, the state reimburses boards of education at a prorated amount for special education expenditures that are more than four and a half times the given school district's net current expenditures per student (see § 265 below).

SDE must submit the report to the Appropriations and Education committees by July 1, 2023.

EFFECTIVE DATE: Upon passage

§ 265 — SPECIAL EDUCATION EXCESS COST GRANT

Creates a three-tiered reimbursement method, based on each town's property wealth per capita, for determining the special education excess cost grant when the appropriation does not fully fund the grant

By law, SBE reimburses school districts for special education costs that are more than four and a half times the school district's net current expenditures per student (also referred to as the "excess cost grant"). But prior law also required that the grant amount for each district be reduced proportionately when the annual appropriation was not enough to fully fund the grant.

Beginning with FY 23, the act modifies this reimbursement method when the appropriation does not fully fund the grant to instead create three reimbursement tiers based on each town's adjusted equalized net grand list per capita (AENGLPC). The act requires SBE to rank the towns in descending order from one to 169 according to each town's AENGLPC. Then SBE must pay the grant to towns operating local school districts, ranked as follows:

1. 115 to 169: 76.25% of the amount of the town's eligible excess costs;
2. 59 to 114: 73% of the amount of the town's eligible excess costs; and
3. 1 to 58: 70% of the amount of the town's eligible excess costs.

Similarly, the act specifies how regional boards of education must be ranked for this system. Their ranking is determined by (1) multiplying the total population of each town in the regional district by the town's ranking, as determined under the act; (2) adding together the figures determined for the towns in the district; and (3) dividing the total by the total population of all towns in the district. The ranking of

each regional board of education must be rounded to the next higher whole number.
EFFECTIVE DATE: July 1, 2022

§ 266 — ALLIANCE DISTRICT PROGRAM RENEWAL

Renews the alliance district program for five years; requires the commissioner to designate 36, rather than 33, alliance districts

Under prior law, the five-year designation for the 33 alliance districts expired on July 1, 2022. The act requires the education commissioner to designate 36 alliance districts for five more years, beginning with FY 23, which starts July 1, 2022. Under the act, the new designation applies to (1) the 33 school districts with the lowest accountability index (AI) scores and (2) districts that were previously designated but may not be among the 33 with the lowest scores (see *Background* below).

As under the program’s prior authorization, the act generally requires the comptroller to withhold from an alliance district town any increase in ECS funds that exceed the amount the town received in 2012. But, for districts designated as alliance districts for the first time under the act, the comptroller must withhold ECS funds over the FY 22 amount. The comptroller transfers the money to the education commissioner to withhold until she approves the district’s alliance district application and plan to improve academic performance.

Existing law requires the alliance districts to spend their alliance funds (1) according to the plan submitted with the application; (2) on the minority candidate certification, retention, and residency program; (3) on ECS spending requirements; and (4) for any other items allowed under SDE guidelines.

Background — Accountability Index Scores

The “accountability index score” for a school district or an individual school is the score resulting from multiple weighted measures that (1) include the mastery test scores (i.e., the performance index score) and high school graduation rates and (2) may include academic growth over time, attendance and chronic absenteeism, postsecondary education and career readiness, enrollment in and graduation from higher education institutions and postsecondary education programs, civics and arts education, and physical fitness (CGS § 10-223e(a)).

EFFECTIVE DATE: July 1, 2022

§§ 267-269 — EDUCATION COST SHARING (ECS) GRANTS AND PHASE-IN SCHEDULE

Changes some of the factors used in the ECS phase-in schedule for ECS grant increases and decreases; essentially keeps the yearly changes the same as under prior law

The ECS grant program is the state’s largest aid program for towns. The act changes some of the factors used in the ECS phase-in schedule for ECS grant increases and decreases, but essentially keeps the yearly changes the same as under

prior law. It also modifies the method for determining the ECS grant for alliance districts.

Under the act and prior law, towns that are underfunded for their ECS grant will be fully funded by FY 28. Towns that are overfunded will gradually receive reductions, from FY 24 to FY 29, until they are at their fully funded level.

For overfunded towns, prior law used the FY 17 ECS aid amount as a starting point every year to determine how much an overfunded town should have its funding reduced. Under the act, the ECS reductions for overfunded towns are essentially kept the same, but the factors used to implement them are different. Rather than the FY 17 ECS amount, the act uses the ECS amount for the most recent fiscal year.

Some towns are overfunded due primarily to the years when the state froze the level of funding for all towns, even those towns whose student enrollment dropped. A town with declining enrollment generally receives less funding when the formula is updated with new enrollment figures.

EFFECTIVE DATE: July 1, 2022

Changing Terms Used to Categorize Towns (§ 267)

The act changes two of the terms, “underfunded” and “overfunded,” used to determine the first step in ECS grant funding.

Under prior law, an underfunded town was one whose fully funded grant amount, as determined by the formula, was greater than its base grant amount. In that case, the town was entitled to an increase in its ECS grant. A town’s base grant amount was the ECS grant amount the town was entitled to for FY 17, minus authorized cuts implemented during FY 17. Under the act, beginning with FY 23, the phase-in compares the fully funded grant amount to a town’s ECS grant for the previous fiscal year, rather than the base grant amount. Therefore, any town whose fully funded grant amount is greater than the town’s ECS grant amount for the previous fiscal year is entitled to an ECS grant increase.

The act also uses the ECS grant amount for the previous fiscal year, rather than the base grant, to determine if a town is overfunded. Under prior law, an overfunded town was one whose fully funded grant was less than its base grant. In that case, the town was entitled to either the amount the town received in FY 21 or, starting in FY 24, a decreased grant amount each year. The act instead compares the fully funded amount to the town’s ECS grant for the previous fiscal year.

Grant Adjustment (§ 269)

When determining ECS grant increases or decreases, prior law used a town’s “grant adjustment,” which was the absolute value of the difference between a town’s base grant amount and its fully funded grant amount. The act changes this definition to the absolute value of the difference between a town’s ECS grant entitlement for the previous year and its fully funded grant amount. For underfunded towns, the grant adjustment is the amount needed to be fully funded; for overfunded towns, it is the amount the town is funded above its fully funded

grant.

ECS Phase-In Adjustments (§ 267)

The table below shows how the act changes the phase-in for FYs 23-25 ECS grants.

ECS Phase-In Adjustments for ECS Grants (FYs 23-25)

Town Type	FY 23		FY 24		FY 25	
	Prior Law	Act	Prior Law	Act	Prior Law	Act
Under-funded	Previous FY amount plus 10.66% of grant adjustment	Previous FY amount plus 16.67% of grant adjustment*	Previous FY amount plus 10.66% of grant adjustment	Previous FY amount plus 20% of grant adjustment*	Previous FY amount plus 10.66% of grant adjustment	Previous FY amount plus 25% of grant adjustment*
Over-funded	No reduction (held harmless) to FY 21 amount	No reduction (held harmless) to FY 22 amount (no change from prior law)	Previous FY amount minus 8.33% of grant adjustment	Previous FY amount minus 14.29% of grant adjustment* (excludes alliance districts, see below)	Previous FY amount minus 8.33% of grant adjustment	Previous FY amount minus 16.67% of grant adjustment* (excludes alliance districts, see below)

*Under the act, "grant adjustment" means the absolute value of the difference between a town's ECS grant amount for the previous year and its fully funded grant amount. Generally, under the act, the grant adjustment figure (before applying the percentage) will be less than under prior law.

Under prior law for FYs 26 and 27, an underfunded town was entitled to an annual ECS grant equal to its previous fiscal year's grant plus 10.66% of its grant adjustment. Under the act, for each of these years, underfunded towns are entitled to their ECS grant amount for the previous year plus 33.33% of their grant adjustment for FY 26 and 50% of their grant adjustment for FY 27.

For the same years, prior law provided an overfunded town with a grant equal to its grant for the previous fiscal year minus 8.33% of its grant adjustment. The act changes the reduction for overfunded towns based on the ECS grant amount for the previous year and the revised definition of the grant adjustment (i.e., minus 20% of grant adjustment for FY 26 and minus 25% of grant adjustment for FY 27). Using the same method, the act changes the reduction for overfunded towns as follows:

1. for FY 28, from prior law's reduction of 8.33% of the grant adjustment to a reduction of 33.33% of the grant adjustment, and
2. for FY 29, from prior law's reduction of 8.33% of the grant adjustment to a reduction of 50%.

For FYs 28 and 29 under prior law and the act, underfunded towns will be fully

funded.

Alliance Districts (§ 267)

For FYs 24-29, prior law entitled any overfunded town that is an alliance district to an ECS grant equal to its FY 17 amount after reductions in FY 17 (i.e., base grant amount). Under the act, beginning in FY 24 an alliance district, regardless of whether it is overfunded or underfunded, receives an amount that is the greater of (1) the amount the act determines for either overfunded or underfunded towns (depending on what applies for the alliance district) for that year; (2) its base grant amount; or (3) its ECS grant for the previous fiscal year.

Base Aid Ratio (§ 268)

By law, the base aid ratio is a measure of town wealth (measured by property wealth and income level) used in the ECS formula, and there is a minimum of 10% base aid ratio for alliance districts. The act gives priority school districts the same minimum base aid ratio of 10% but does not change anything else regarding the base aid ratio.

By law, priority school districts are those whose students receive low standardized test scores and have high levels of poverty (CGS § 10-266p(a)). There are 15 priority school districts, and they also are alliance districts.

§ 270 — OPEN CHOICE HARTFORD REGION GRANT

Creates an additional \$2,000 per-student Open Choice grant for Hartford region school districts that accept out-of-district students

The act creates an additional \$2,000 per-student grant for Hartford region school districts that accept public school students through the Open Choice program. Open Choice is a voluntary inter-district attendance program that allows students from urban school districts to attend suburban school districts, and vice versa, on a space-available basis. SDE provides a per-student grant for school districts that receive Open Choice students.

Under existing law, the grants range from \$3,000 to \$8,000 per student, with larger grants for districts that enroll a higher percentage of Open Choice students. For example, a district receives \$3,000 per student if Open Choice students are less than 2% of its student population. The grant amount increases incrementally until, at the highest amount, a district receives \$8,000 per student if Open Choice students are at least 4% of the student population. Under the act, the \$2,000 per student grant is in addition to these amounts.

The additional grants must be given to receiving school districts for each out-of-district student who resides in the Hartford region (i.e., the *Sheff* region) and attends school in a receiving district under the program (see *Background* below). The annual additional grants begin in FY 23, within available appropriations, and are paid to help the state meet its obligations under the Comprehensive School Choice Plan, which is part of the most recent renewal of the *Sheff v. O'Neill* court

decision and agreements (see *Background* below).

EFFECTIVE DATE: July 1, 2022

Background — Sheff Region

This region includes the school districts of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Ellington, Farmington, Glastonbury, Granby, Hartford, Manchester, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, Vernon, West Hartford, Wethersfield, Windsor, and Windsor Locks.

Background — Sheff v. O'Neill Decision

In 1996, the Connecticut Supreme Court ruled in *Sheff* that the racial, ethnic, and economic isolation of Hartford public school students violated their right to a “substantially equal educational opportunity” under the state constitution (238 Conn. 1 (1996)). It ordered the state and the plaintiff’s representatives to make an agreement, which since has been renewed several times, for the voluntary desegregation of Hartford students.

§§ 271-298 & 514 — TECHNICAL AND CONFORMING CHANGES TO MAKE THE CONNECTICUT TECHNICAL EDUCATION AND CAREER SYSTEM (CTECS) AN INDEPENDENT STATE AGENCY

Makes numerous conforming, minor, and technical changes related to transitioning CTECS into an independent agency; addresses specific duties of the CTECS executive director and superintendent; makes conforming changes to maintain CTECS teachers and professional staff as members in TRS

By law, CTECS (formerly known as the technical high school system) became an independent state agency, separate from SDE, on July 1, 2022 (i.e., the 2022-23 school year). The act makes numerous minor and technical changes related to CTECS’s transition to an independent agency. This summary highlights the more significant of these changes.

The act makes changes in the statutes to reflect that CTECS has its own board and leadership that is not subject to SBE governance. Under the act:

1. SBE may no longer receive any money or property given or bequeathed to CTECS (§ 271);
2. CTECS, rather than SBE, must provide the professional services needed to identify children enrolled at a technical high school who require special education and appropriately educate these students (§ 274);
3. the CTECS executive director assumes responsibility for the Vocational Education Extension Fund (including the apprenticeship account), which helps pay for needed apprenticeship program materials and equipment (§§ 276 & 290); and
4. the CTECS executive director replaces SBE in the process for temporarily closing a technical high school, and the authority to close a school for more than six months moves from SBE to the executive director by allowing the

OLR PUBLIC ACT SUMMARY

director to do so upon the CTECS board's recommendation (§ 280).

The act also repeals three obsolete laws regarding (1) an expired reporting requirement (CGS § 10-4r), (2) an obsolete appointment (CGS § 10-13), and (3) an expired study requirement (CGS § 10-95m).

EFFECTIVE DATE: July 1, 2022

CTECS Superintendent (§ 281)

Hiring the Superintendent. Under existing law, the CTECS executive director, who the governor appoints, is the system's chief executive; the superintendent, who reports to the executive director, is the school leader in charge of education. The CTECS board is the policymaking body.

Under prior law, the board recommended superintendent candidates to the education commissioner and, beginning July 1, 2023, had to begin making recommendations instead to the CTECS executive director. The act moves up this change by a year to July 1, 2022. As under existing law, the act gives the executive director discretion to hire or reject any superintendent candidate the board recommends. The act specifies that when the executive director rejects a candidate, the board must recommend another until the executive director hires one.

Existing law allows the superintendent's three-year term to be extended for up to three years at a time. The act specifies that the executive director is the official who may extend the term, and it requires him to consult with the board before doing so.

Under the act, a candidate cannot be hired or assume superintendent duties until the executive director receives written confirmation from the education commissioner that the candidate is properly certified as a superintendent or has received a certification waiver from the commissioner as permitted by law.

Acting Superintendent. The act allows the executive director to hire an uncertified candidate as an acting superintendent for a one-year probationary period if the education commissioner approves. An acting superintendent assumes all duties of the superintendent and must successfully complete an SBE-approved school leadership program at a higher education institution in the state.

When the probationary period ends, the executive director may request that the commissioner grant a (1) certification waiver for the acting superintendent as allowed under state law or (2) one-time probationary period extension of up to a year. To grant the extension, the commissioner must determine that the executive director showed a significant need or hardship for it.

Administrative Policies. The act requires the superintendent, in consultation with the executive director, to develop and revise, as necessary, administrative policies for operating the technical education and career schools and programs offered in the system. It specifies that these administrative policies must not be considered state regulations.

Evaluation. The act requires the executive director, in consultation with the board, to evaluate the superintendent's performance at least annually according to guidelines and criteria the executive director and the board set.

Master Schedule (§ 283)

The act requires the superintendent, rather than the executive director as under prior law, to establish a master schedule for CTECS. The executive director must ensure the superintendent does this.

CTECS Board (§ 284)

Membership. The act authorizes the governor to remove a CTECS board member for inefficiency, neglect of duty, or misconduct in office. (Under a separate law, unchanged by the act, the board’s appointed members serve at the pleasure of the governor (CGS § 4-1a).) The act also prohibits any CTECS employee from being a board member.

By law, the CTECS board consists of 11 members: seven appointed by the governor and confirmed by the General Assembly and four executive branch officials serving ex-officio. Among other things, the board advises the superintendent and executive director on specified matters.

Achievement Goals. By law, the CTECS board must establish achievement goals for its students and use quantifiable measures for the performance of each technical high school. One required measure under prior law is student performance on state mastery exams, as defined in law, in grade 10 or 11. The act changes this to performance on standardized academic assessments without the statutory reference, which could include standardized tests that are not part of the state mastery test law.

CTECS and TRS (§§ 292-295)

By law, when CTECS teachers and other professional staff are hired, they can choose between the TRS or the State Employee Retirement System. The act makes several conforming changes to maintain membership in TRS for CTECS teachers and other professional staff. (TRS membership consists primarily of local board of education teachers and other professionals.)

Specifically, the act adds CTECS to TRS’s list of employers and definition of “public school” (§§ 292 & 293). It similarly adds CTECS professional staff to TRS’s definition of “teacher” (§ 294). (Existing law includes SBE’s professional staff in this definition.)

§ 299 — MAGNET SCHOOL SUPPLEMENTAL TRANSPORTATION GRANT

Changes the payment schedule and number of payments for a supplemental transportation grant for Sheff magnet schools

The act changes the payment schedule and frequency for supplemental transportation grants to magnet schools that help the state meet its obligations under the *Sheff v. O’Neill* desegregation court decision. Generally, it allows SDE to provide a higher percentage of the total grant money earlier in the fiscal year.

OLR PUBLIC ACT SUMMARY

Prior law required the education commissioner to pay these grants in two parts: 70% of the grant on or before the end of the fiscal year and the balance on or before September 1 of the following fiscal year (after the comprehensive financial review and only if certain conditions are met).

The act replaces this with a new payment schedule. For FY 22, it requires that (1) up to 100% of the grant is paid on or before June 30, 2022, and (2) any remaining balance is paid on or before September 1, 2022, upon completion of the comprehensive financial review. If the commissioner determines after the review that there was an overpayment in FY 22, then the overpayment must be refunded to SDE.

For FY 23 and each following year, it requires that (1) up to 95% of the grant is paid by June 30 of that fiscal year based on documentation provided before May 31 and (2) the balance is paid by September 1 of the following fiscal year after the comprehensive financial review is completed. The same provisions as above apply for overpayments.

EFFECTIVE DATE: Upon passage

§ 300 — PRIVATE SCHOOL CURRICULUM ACCREDITATION

Requires SBE to allow private school curriculum accreditation by Cognia

Beginning July 1, 2023, the act requires SBE to allow a private school's supervisory agent to accept curriculum accreditation from Cognia, a nonprofit accreditation and certification agency.

EFFECTIVE DATE: July 1, 2022

§§ 301-305 — FY 22 BUDGET ADJUSTMENTS

Makes deficiency appropriations and corresponding reductions for FY 22 in the General Fund and Special Transportation Fund

The act (1) appropriates a total of \$312,448,884 from the General Fund and \$1 million from the Special Transportation Fund to cover deficiencies in various state agencies and programs for FY 22 and (2) reduces appropriations to other agencies and programs for FY 22 by the same amount, as shown in the table below. It also prohibits any of the additional General Fund appropriations from being eligible for fringe benefit recovery from the state comptroller's General Fund fringe benefit accounts by UConn, the UConn Health Center (UCHC), and CSCU.

FY 22 Additional Appropriations and Reductions

Agency	Purpose	Amount
GENERAL FUND		
DAS	Other Expenses	\$14,500,000
DEEP	Other Expenses	268,508
	Emergency Spill Response	1,250,000
DECD	Other Expenses	1,200,000

OLR PUBLIC ACT SUMMARY

Agency	Purpose	Amount
	Manufacturing Growth Initiative	19,376
Office of the Chief Medical Examiner	Personal Services	171,000
	Other Expenses	130,000
Office of Higher Education	Other Expenses	160,000
UConn	Operating Expenses	25,050,000
UHC	Operating Expenses	24,000,000
CSCU	Charter Oak State College	517,000
	Community Tech College System	7,725,000
	Connecticut State University	13,358,000
OPM	Reserve for Salary Adjustments	224,100,000
Legislative Management	Personal Services	(4,000,000)
Department of Social Services	Medicaid	(143,448,884)
Teachers' Retirement Board	Retirees Health Service Cost	(7,000,000)
Department of Correction	Personal Services	(69,000,000)
Department of Children and Families	Personal Services	(6,000,000)
	Board and Care for Children – Foster	(20,000,000)
	Board and Care for Children – Short-term and Residential	(6,000,000)
State Treasurer	Debt Service	(22,000,000)
State Comptroller	Unemployment Compensation	(5,000,000)
	Employees Social Security Tax	(5,000,000)
	State Employees Health Service Cost	(25,000,000)
SPECIAL TRANSPORTATION FUND		
DAS	State Insurance and Risk Management Operations	1,000,000
Department of Transportation	Personal Services	(1,000,000)

EFFECTIVE DATE: Upon passage

§§ 306-320, 358 & 360 — NEW BOND AUTHORIZATIONS FOR STATE AGENCY PROJECTS

Authorizes state GO bonds in FY 23 for various state projects and grant programs

The act authorizes state general obligation (GO) bonds in FY 23 for the state projects and grant programs listed in the table below. The bonds are subject to standard issuance procedures and have a maximum term of 20 years.

The act includes a standard provision requiring, as a condition of bond authorizations for grants to private entities, each granting agency to include repayment provisions in its grant contract if the facility for which the grant is made ceases to be used for the grant purposes within 10 years after receipt. The required

OLR PUBLIC ACT SUMMARY

repayment is reduced by 10% for each full year that the facility is used for the grant purpose.

GO Bond Authorizations for State Projects and Grant Programs (FY 23)

§	Agency	Purpose	Amount
STATE PROJECTS			
307(a)	Office of Legislative Management	Alterations, renovations, improvements, and technology upgrades at the State Capitol complex	\$2,000,000
307(b)	OPM	State matching funds for projects and programs allowed under the federal Infrastructure Investment and Jobs Act	75,000,000
307(c)	Agricultural Experiment Station	Renovations and improvements to Jenkins Laboratory greenhouses	800,000
		Construction and equipment for Valley Laboratory additions and renovations	8,000,000
307(d)	UConn Health Center	Deferred maintenance, code compliance, and infrastructure improvements	40,000,000
358	Connecticut State Colleges and Universities	Constructing, improving, or equipping child care centers on or near college and university campuses, including paying associated architectural, engineering, or demolition service costs	10,000,000
360	DAS	Grants for school air quality improvements including upgrading, replacing, or installing heating, ventilation, and air conditioning equipment; authorizes up to \$50 million to be used to reimburse improvements completed from March 1, 2020, to July 1, 2022	75,000,000
GRANTS			
314(a)	OPM	Grants for long-term acute care hospitals accredited by the Commission on Accreditation of Rehabilitation Facilities for electronic medical record systems	4,500,000
		Grants for state-licensed acute care hospitals for facility construction for adult, inpatient psychiatric beds	5,000,000
314(b)	Department of Emergency Services and Public Protection	Grant to North Branford Police Department	4,500,000
314(c)	Department of Agriculture	Grants for farmland restoration and climate resiliency	7,000,000
		Grants to food resource organizations for capital improvements	10,000,000

OLR PUBLIC ACT SUMMARY

§	Agency	Purpose	Amount
314(d)	DEEP	Grants for matching funds necessary for municipalities, school districts, and school bus operators to maximize federal funding for purchasing or leasing zero-emission school buses and electric vehicle charging or fueling infrastructure	20,000,000
		Grants for landfills, including the Hartford landfill	5,000,000
314(e)	DECD	Grants to nonprofit organizations sponsoring cultural and historic sites, including for the Naugatuck Railroad to design and construct a handicap-accessible platform at the Naugatuck rail line's Waterbury stop	100,000
314(f)	SDE	Grants to regional educational service centers for interdistrict magnet school capital expenses; earmarks up to \$10 million for grants to the Capital Region Education Council	20,000,000
314(g)	Office of Early Childhood	Grants for constructing, improving, or equipping child care centers, including paying associated costs for the infant and toddler pilot program's architectural, engineering, or demolition services	5,000,000
314(h)	CRDA	Grants to encourage development pursuant to CRDA's statutory purposes	50,000,000

EFFECTIVE DATE: July 1, 2022

§§ 321-326 — NEW TRANSPORTATION PROJECT AUTHORIZATION

Authorizes up to \$20 million in STO bonds for purchasing and installing advanced wrong-way driving technology

The act authorizes up to \$20 million in special tax obligation (STO) bonds for DOT to purchase and install advanced wrong-way driving technology.

EFFECTIVE DATE: July 1, 2022

§§ 327-329 — CONNECTICUT BABY BOND TRUST PROGRAM

Delays the (1) trust's establishment to July 1, 2023, and (2) program's bond authorization schedule by two years, from FY 23 to FY 25; limits the program's designated beneficiaries to babies born on or after July 1, 2023, rather than July 1, 2021, whose births were covered under HUSKY

Existing law authorizes up to \$600 million in GO bonds for the Connecticut Baby Bond Trust program to provide designated beneficiaries up to \$3,200 in a state trust administered by the state treasurer. Once they reach age 18, beneficiaries who meet the program's eligibility requirements may receive the funds, including any investment earnings, to be used for an eligible expenditure (e.g., education,

OLR PUBLIC ACT SUMMARY

buying a home or investing in a business in Connecticut, and personal financial investments).

The act delays the trust's establishment to July 1, 2023, and limits the program's designated beneficiaries to babies born on or after that date, rather than July 1, 2021, whose births were covered under HUSKY. It also makes a conforming change to the provision requiring the Department of Social Services to inform the treasurer of the number of designated beneficiaries born each year.

Prior law authorized the treasurer to issue up to \$50 million in GO bonds per year for the program from FYs 23-34. The act delays this authorization schedule by two years, to FY 25, and correspondingly extends it to FY 36.

EFFECTIVE DATE: Upon passage

§§ 330-331 & 333-357 — CHANGES TO EXISTING AUTHORIZATIONS

Modifies amounts authorized for specified bond authorizations; makes various changes to existing authorizations' purposes

Increased Authorizations

The act increases the amounts authorized for the existing bond authorizations shown in the table below.

Increases to Existing Authorizations

§	Agency	Purpose/Fund	Prior Authorization	New Authorization	Increase
330	OPM	Urban Act*	\$40,000,000	\$160,000,000	\$120,000,000
331	OPM	Capital Equipment Purchase Fund	10,000,000	25,000,000	15,000,000
335	DEEP	Connecticut bikeway, pedestrian walkway, recreational trail, and greenway grant program	3,000,000	6,000,000	3,000,000
337	DECD	Grant to the Connecticut Science Center	10,500,000	21,200,000	10,700,000
351	Connecticut Port Authority	Grants for deep water port improvements, including dredging (effective upon passage)	70,000,000	90,000,000	20,000,000
353	DEEP	Alterations, renovations, and new construction at state parks and other recreation facilities,	15,000,000	30,000,000	15,000,000

OLR PUBLIC ACT SUMMARY

§	Agency	Purpose/Fund	Prior Authorization	New Authorization	Increase
		including Americans with Disabilities Act improvements			
354	Department of Correction	Alterations, renovations, and improvements to existing state-owned buildings for inmate housing, programming and staff training space, additional inmate capacity, support facilities, and off-site improvements	10,000,000	70,000,000	60,000,000
357	DEEP	Grants to municipalities for open space acquisition and development for conservation or recreational purposes	10,000,000	15,000,000	5,000,000

*Act also earmarks \$20 million for the homeownership initiative described below

Homeownership Initiative (§ 330). The act earmarks up to \$20 million in Urban Act bonds for a DOH homeownership initiative for certain housing construction and redevelopment activities. This initiative must be in collaboration with one or more local community development financial institutions (CDFIs) in qualified census tracts as defined under the federal Low-Income Housing Tax Credit program (i.e., federally designated tracts in which (1) at least 50% of households have incomes below 60% of the area median gross income or (2) the federal poverty rate is at least 25%). The CDFIs must meet federal eligibility requirements.

Under the initiative, construction and redevelopment activities (1) must be completed by developers or nonprofits residing in the municipality where the work occurs and (2) result in new homeownership opportunities for qualified census tract residents.

Cancellations and Reductions

The act cancels or reduces the authorizations shown in the table below.

Bond Cancellations and Reductions

§	Agency	Purpose/Fund	Prior Authorization	Amount Cancelled
334	DAS	School construction projects	\$550,000,000	\$100,000,000

OLR PUBLIC ACT SUMMARY

§	Agency	Purpose/Fund	Prior Authorization	Amount Cancelled
340	DOT	Construction, repair, or maintenance of highways, roads, bridges, or bus and rail facilities and equipment	200,000,000	200,000,000
342, 348	OPM	Grants to private, nonprofit, tax-exempt health and human service organizations that receive state funds to provide direct services to state agency clients: alterations, renovations, improvements, additions, and new construction, including (1) health, safety, ADA compliance, and energy conservation improvements; (2) information technology systems; (3) technology for independence; (4) vehicle purchases; and (5) property acquisition (\$10 million of the cancellation is effective upon passage)	35,000,000	15,000,000
344	DOT	Construction, repair, or maintenance of highways, roads, bridges, or bus and rail facilities and equipment (see below for language change)	200,000,000	20,000,000
346	Department of Motor Vehicles	Development of a master plan for department facilities	500,000	500,000
349	OPM	Grant for a Sandy Hook memorial (effective upon passage)	2,600,000	2,600,000
356	OPM	Grants for regional and local improvements and development to various enumerated projects	35,000,000	35,000,000

Changes to Existing Authorizations' Purposes

The act changes the purposes of existing bond authorizations, as indicated in the following table.

Changes to Existing Authorizations' Purposes

§	Agency	Amount Authorized	Prior Purpose	New Purpose
333	DOH	\$30,000,000	Homelessness prevention and response fund: forgivable loans and grants to landlords (1) participating in a rapid rehousing program (e.g., waiving security deposits or	Limits the fund's purposes to providing grants to capitalize operating and replacement reserves

OLR PUBLIC ACT SUMMARY

§	Agency	Amount Authorized	Prior Purpose	New Purpose
			abating rent for a designated period) and (2) abating rent for scattered supportive housing units by, among other things, capitalizing operating and replacement reserves for them	in supportive housing units
338	Board of Regents for Higher Education	28,000,000	Norwalk Community College: phase III master plan implementation	Gateway Community College: acquire, design, and construct facilities for workforce development programs, including for transportation, alternative energy, advanced manufacturing, and health sectors
344	DOT	200,000,000 (reduced to 180,000,000 under the act)	Construction, repair, or maintenance of highways, roads, bridges, or bus and rail facilities and equipment (see above for cancellation)	Allows the bonds to also be used for noise barriers; earmarks up to \$75 million for a matching grant program to help municipalities modernize existing traffic signal equipment and operations
350	DECD	20,000,000	CareerConneCT workforce training programs (effective upon passage)	Allows up to \$5 million of the authorization to be used to capitalize the Connecticut Career Accelerator Program Account

EFFECTIVE DATE: July 1, 2022, except the provisions noted above and a corresponding supertotal provision are effective upon passage.

§ 332 — GRANT PROGRAM FOR PURCHASING ELIGIBLE BODY AND DASHBOARD CAMERAS AND RELATED EQUIPMENT AND SERVICES

Extends, to FY 23, the municipal grant program for purchasing eligible body and dashboard cameras and related equipment and services

The act extends, to FY 23, the OPM-administered municipal grant program for purchasing eligible police body cameras, digital data storage devices or services, and certain dashboard cameras. By law, the grants are for up to 50% of the associated costs for distressed municipalities and up to 30% for all other

municipalities.

EFFECTIVE DATE: July 1, 2022

§ 359 — DOH HEALTH CARE WORKER HOUSING PROGRAM

Authorizes up to \$20 million in GO bonds for DOH to develop housing for health care workers

The act authorizes up to \$20 million in state GO bonds for DOH to (1) develop housing for health care workers and (2) fund the costs associated with the partnership described below. Under the act, DOH must develop this housing together with the chief workforce officer. It may use the bond funds for land acquisition, project design, and construction costs, among other things.

The act requires the DOH commissioner and the Connecticut Housing Finance Authority executive director to seek to partner with one or more hospitals in the state to increase workforce housing options. By January 1, 2023, they must report to the Housing Committee on the partnership's status and recommendations on other ways to increase these housing options.

EFFECTIVE DATE: July 1, 2022

§ 361 — OFFICE OF COMMUNITY ECONOMIC DEVELOPMENT ASSISTANCE

Establishes a new office within DECD to assist eligible community development corporations; authorizes up to \$50 million in state GO bonds to fund its operations and a grant program for certified CDC projects in target areas

The act establishes a new Office of Community Economic Development Assistance (OCEDA) within DECD to provide technical, investment, and grant assistance to eligible community development corporations (CDCs). The new office must do the following, among other things:

1. identify target areas in the state based on specified economic indicators,
2. certify new and existing CDCs that serve these areas and meet certain other criteria,
3. provide various types of assistance to these CDCs,
4. administer a grant program for projects that certified CDCs undertake in target areas, and
5. annually report to the legislature on its activities and outcomes during the prior fiscal year.

The act authorizes up to \$50 million in state general obligation bonds for DECD to fund OCEDA's operations and the grant program.

EFFECTIVE DATE: July 1, 2022

CDC Certification Process

The act allows organizations meeting certain requirements to become certified CDCs by applying to OCEDA in the form and way it determines. OCEDA must certify both (1) existing CDCs operating in the state, or seeking to do so, that meet

these requirements and (2) any new CDCs established under this application process. The act also requires OCEDA to maintain a current list of certified CDCs and post it on DECD's website.

Under the act, a "certified CDC" is a 501(c)(3) federally tax-exempt organization that is certified by OCEDA and meets the following requirements:

1. focuses a substantial majority of its efforts on serving one or more "target areas" as described below,
2. has the purpose of engaging and working with local residents and businesses on community development efforts to sustainably develop and improve urban communities in a manner that creates and expands economic opportunities for low- and moderate-income people, and
3. shows OCEDA that its constituency is meaningfully represented on its board as described below.

Target Areas

Under the act, a "target area" is a contiguous geographic area in which the (1) current unemployment rate exceeds the state's by at least 25% or (2) mean household income is 80% or less of the state's as determined by the most recent decennial census. OCEDA must identify the eligible target areas and post them on DECD's website.

Community Representation on the Board of Directors

Under the act, a CDC must demonstrate to OCEDA that its constituency is meaningfully represented on its board through its:

1. percentage of board members who reside in a target area or community that the CDC serves or seeks to serve,
2. percentage of members who are low- or moderate-income,
3. board's racial and ethnic composition compared to the community's, or
4. use of committees or membership meetings to ensure that its constituency has a meaningful role in the CDC's governance and direction.

OCEDA Duties

Within available appropriations, OCEDA must do the following:

1. assist organizations seeking to establish themselves or be certified as a CDC;
2. provide grants to certified CDCs for projects in target areas as described below;
3. assist CDCs in soliciting investment funding and serve as the liaison between CDCs and investors; and
4. seek to ensure coordinated, efficient, and timely responses to these organizations, CDCs, and investors.

Certified CDC Grant Program

OLR PUBLIC ACT SUMMARY

The act requires OCEDA to establish a grant program for projects that certified CDCs seek to undertake in target areas, including infrastructure improvements, housing rehabilitation, and streetscape and business façade improvements. It must establish the program's (1) application process and form; (2) eligibility criteria; and (3) caps or limitations, if any, on grant awards. It must also post program information on DECD's website.

Reporting Requirement

Beginning by July 1, 2023, the act requires OCEDA to annually submit a report to the Commerce; Planning and Development; and Finance, Revenue and Bonding committees. The report must at least provide the following information for the prior fiscal year: (1) a description of the office's activities, (2) the number of CDCs established and certified, (3) the number and amounts of grants awarded to certified CDCs, and (4) a description of the projects (including their locations) certified CDCs undertook.

§ 362 — SCHOOL CONSTRUCTION GRANT COMMITMENTS

Authorizes eight school construction state grant commitments totaling \$137.35 million toward total project costs of \$495.34 million; reauthorizes one technical high school project with an additional state grant commitment of \$59.55 million, which matches the additional estimated project cost

The act authorizes eight school construction state grant commitments totaling \$137.35 million toward total estimated project costs of \$495.34 million. It also reauthorizes one technical high school renovation project that has changed substantially in scope and cost with an additional state grant commitment of \$59.55 million, which matches the additional estimated project cost.

Under the state school construction grant program, the state reimburses towns and local districts a percentage of eligible school construction costs through state GO bonds (with less wealthy municipalities receiving a higher reimbursement). The municipalities pay the remaining costs. For the state-operated Connecticut Technical Education and Career System, (i.e., technical high schools), the state pays 100% of the project costs.

For each project authorized by the act, the table below shows the district, school, project type, total cost and state grant commitment estimates, and state reimbursement rate.

2022 School Construction Grant Commitments

<i>District</i>	<i>School</i>	<i>Project Type</i>	<i>Estimated Project Costs</i>	<i>Estimated Grant</i>	<i>Reimbursement Rate</i>
Farmington	Farmington High School	New	\$131,666,047	\$24,924,383	18.93%*
Stamford	Westhill High School	New	257,938,824	51,587,765	20%**

OLR PUBLIC ACT SUMMARY

<i>District</i>	<i>School</i>	<i>Project Type</i>	<i>Estimated Project Costs</i>	<i>Estimated Grant</i>	<i>Reimbursement Rate</i>
Granby	Granby Memorial High School	Alteration	3,486,378	1,319,943	37.86%
Hamden	Hamden Middle School	Extension/ alteration; diversity school	17,100,000	13,680,000	80%
Manchester	Keeney Elementary School	Renovation	33,200,000	27,811,640	83.77%
Milford	Pumpkin Delight Elementary School	Extension/ alteration	15,060,750	5,593,563	37.14%
Simsbury	Latimer Lane School	Renovation	36,792,406	12,351,211	33.57%
Regional District 7	Regional School District No. 7, Agricultural Education Center	Vo-ag equipment	100,000	80,000	80%
Totals			\$495,344,405	\$137,348,505	

*§ 385 sets the reimbursement rate at 30%

**§ 381 sets the reimbursement rate at 80% if certain conditions are met, see below

Reauthorized Project

The act also reauthorizes, with a change in cost and scope, the Bullard-Havens Technical High School project in Bridgeport. The reauthorization changes it from an extension and alteration project with an estimated total project cost of \$139,447,195 to a new construction project with an estimated cost of \$199,000,000. This is a \$59.55 million increase that the state pays in full.

The Bullard-Havens proposal was originally authorized by PA 05-6, JSS, as an extension and alteration project. It was reauthorized by the legislature in 2015 and 2021.

EFFECTIVE DATE: Upon passage

§§ 363, 372, 375 & 377-379 — SCHOOL SAFETY INFRASTRUCTURE COUNCIL AND SCHOOL BUILDING PROJECTS ADVISORY COUNCIL

Eliminates the School Safety Infrastructure Council and generally transfers its duties to the School Building Projects Advisory Council; adds a ninth member to the advisory council

OLR PUBLIC ACT SUMMARY

The act eliminates the School Safety Infrastructure Council (SSIC) and generally transfers its duties to the School Building Projects Advisory Council (SBPAC). SSIC was an 11-member council of agency heads and gubernatorial and legislative appointees, chaired by the DAS commissioner. It was tasked under prior law with the following duties:

1. developing the school safety infrastructure criteria using industry standards for projects that are awarded state school building project reimbursement grants and school security infrastructure competitive grants,
2. meeting at least annually to review the criteria and update it as necessary, and
3. making the criteria available to boards of education.

The act instead requires SBPAC to periodically (but at least annually) review the criteria, update it as necessary, and submit any updates to the education and emergency services and public protection commissioners, along with the Public Safety and Security and Education committees. By law and unchanged by the act, the advisory council must, among other things, (1) conduct studies, research, and analyses; (2) make recommendations to the governor and legislature on improvements to the school building projects processes; and (3) meet at least quarterly.

The act also increases SBPAC's size from eight members to nine by adding a gubernatorial appointee with experience and expertise in construction for students with disabilities and the Americans with Disabilities Act accessibility provisions. By law, the council consists of agency heads and gubernatorial appointees and is chaired by the DAS commissioner.

The act also makes various conforming changes.

EFFECTIVE DATE: July 1, 2022

§ 364 — MAGNET SCHOOLS AND SCHOOL CONSTRUCTION GRANTS

Makes minor and technical changes related to DAS's approval of magnet school construction project grants

The act eliminates a provision that required the DAS commissioner to only approve school construction grant applications for interdistrict magnet school projects if the SDE commissioner finds the school will reduce racial, ethnic, and economic isolation. Under existing law and unchanged by the act, SDE only approves magnet school funding if the school will reduce racial, ethnic, and economic isolation (CGS § 10-264l(b)).

It also explicitly states that magnet school operators are eligible for school building project grants. Under prior law, they could be eligible.

The act makes conforming and technical changes including (1) deleting an obsolete moratorium provision on grant applications for the construction of new magnet schools and (2) referencing DAS, rather than SDE, in provisions on the application process.

EFFECTIVE DATE: July 1, 2022

§ 365 — CAPITOL REGION EDUCATION COUNCIL (CREC) LONG-RANGE CAPITAL IMPROVEMENT PLAN

Requires CREC to adopt a long-range plan for capital improvement and school building project priorities for magnet schools every five years and a rolling three-year capital plan every year; requires the plans to be submitted to DAS, which in turn must submit them to the legislature

Long-Range Plan

The act requires CREC to adopt, by January 1, 2023, and every five years after, a long-range plan for capital improvement and school building project priorities and goals for magnet school facilities that will help the state address its obligations under the *Sheff* court decision and its related stipulations and orders. The plan must include a summary of activities related to school building projects, capital improvements, and capital equipment included in a rolling three-year school building plan that the act also requires.

After adopting the long-range plan, CREC must submit it to DAS, and the department must file it directly with the Appropriations, Education, and Finance, Revenue and Bonding committees.

Rolling Three-Year Plan

The act requires CREC to maintain a rolling three-year school building project, capital improvement, and equipment plan that identifies the (1) expected school building projects, capital improvements, and capital equipment for each CREC magnet school facility and their anticipated cost and (2) specific equipment each magnet school is expected to need and the estimated cost, based on the useful life of existing equipment and changing technology projections.

It also requires CREC to annually submit the plan to DAS, and the department must file it directly with the Appropriations, Education, and Finance, Revenue and Bonding committees.

EFFECTIVE DATE: July 1, 2022

§ 366 — PENALTY FOR SCHOOL CONSTRUCTION PROJECTS FAILING TO MEET MINORITY BUSINESS ENTERPRISE (MBE) SET-ASIDE GOALS

Withholds 5% of a school construction project's reimbursement grant if the applicant does not meet MBE set-aside goals; reduces the amount of a reimbursement grant held back pending an audit from 11% to 5%

Penalty for Not Reaching MBE Goals

Under the state set-aside program, state agencies must set aside at least 25% of the total value of all contracts they let for construction, goods, and services each fiscal year for exclusive bidding by certified small contractors. The agencies must further reserve at least 25% of the set-aside value (i.e., at least 6.25% of the total) for exclusive bidding by certified MBEs. Contractors awarded municipal public

works contracts, which include school construction projects, must comply with these requirements if the (1) contract includes state financial assistance and (2) total contract value exceeds \$50,000.

By law, a “small contractor” is a business that maintains its principal place of business in Connecticut and (1) is registered as a small business with the federal government or (2) if a nonprofit, had gross revenues of \$20 million or less during its most recent fiscal year and is independent. MBEs are small contractors owned by women, minorities, or people with disabilities who exercise regular authority over the enterprise’s operations. In addition to set-aside requirements, the existing law requires that nondiscrimination and affirmative action provisions be included in municipal public works contracts (as well as state contracts) (CGS §4a-60g).

Starting with projects authorized on or after July 1, 2024, the act requires DAS to withhold 5% of a school construction reimbursement grant if its commissioner determines that the applicant failed to comply with the provisions of state set-aside law for MBEs. (The act places the burden to meet the MBE requirement on the town applying for school construction funds, but existing law places the MBE requirement on the project contractor and not the town.)

Reduction of Audit Holdback Amount

Prior law required DAS to hold back 11% of a school construction applicant’s reimbursement grant pending the completion of an audit on the project. The act reduces this amount to 5%.

Existing law, unchanged by the act, requires DAS to complete the audit within six months after a request for the final payment, or the applicant may have an independent audit performed and include the audit cost in the eligible project cost. EFFECTIVE DATE: Upon passage

§ 367 — SCHOOL BUILDING INDOOR AIR QUALITY GRANT PROGRAM

Requires DAS to administer a reimbursement grant program, beginning in FY 23, for the cost of indoor air quality improvements to school buildings, including the installation, replacement, or upgrading of HVAC systems

Beginning in FY 23, the act requires DAS to administer a reimbursement grant program for costs related to indoor air quality improvements in school buildings. It allows local or regional boards of education or RESCs to apply for the grants to reimburse costs associated with projects to install, replace, or upgrade heating, ventilation, and air conditioning (HVAC) systems or other improvements. The act allows boards and RESCs to apply with the DAS commissioner when and how she determines. It prohibits boards of education and RESCs from using these grant funds to replace local matching requirements for other federal or state funding received for indoor air quality improvement or HVAC projects. Boards may submit an application for a project that (1) began on or after March 1, 2020, and was completed before July 1, 2022, or (2) began on or after July 1, 2022.

Under the act, if there are insufficient funds to give grants to all applicants the commissioner must prioritize applicants with schools that have the greatest need

for these systems or improvements. She must use the eligibility criteria described below when determining priority among applicants.

Eligibility Criteria

The act requires the DAS commissioner to develop eligibility criteria to use when determining whether to award a grant for school air quality improvements. These criteria must include at least the following:

1. the age and condition of the school's current HVAC system or equipment,
2. current school air quality issues,
3. the overall school building's age and condition,
4. the school district's master plan,
5. maintenance records availability,
6. a contract or plans for the HVAC system's routine maintenance cleaning, and
7. the board's or RESC's ability to finance the project's remaining cost after receiving a program grant.

Additionally, the act prohibits the DAS commissioner from awarding a grant to any applicant that, beginning July 1, 2024, has not certified compliance with the uniform inspection and evaluation of an existing HVAC system under state law.

Grant Amount Calculations

The act establishes different grant award calculations for (1) local boards of education and (2) regional boards of education and RESCs.

Local Boards of Education. Under the act, a local board may receive a reimbursement grant for 20-80% of its eligible expenses, based on its town ranking. The act establishes the following formula for DAS to use to determine the ranking:

1. Rank each town in descending order (from 1 to 169) using its adjusted equalized net grant list per capita (AENGL) (i.e., a measure of town wealth as defined in the ECS grant statutes (see *Background*, below)) from two, three, and four years before the fiscal year of the grant application.
2. Assign a reimbursement rate from 20-80% to each town on a continuous scale, with the first-ranked town receiving a 20% rate and the last-ranked town receiving an 80% rate.

Regional Boards of Education and RESCs. Under the act, a regional board or RESC may receive a reimbursement grant for a percentage of its eligible expenses according to the following ranking formula, which is based on the local boards' formula and the regional district's or RESC's member towns' populations:

1. Multiply each member town's total population by its AENGL ranking described above.
2. Add together the products for all member towns, calculated in step 1.
3. Divide the total sum calculated in step 2 by the total population of all member towns.
4. Round each regional board's or RESC's ranking to the next higher whole number.

5. Assign to each regional board or RESC the same reimbursement percentage as a town with the same rank (presumably, under the AENGL-based formula for local boards of education).
6. For regional boards only, add 10% to this amount, up to a maximum reimbursement rate of 85%.

Ineligible Costs

The act makes the following costs ineligible for grant reimbursement: (1) routine HVAC system maintenance and cleaning, (2) work that is otherwise eligible for a state school construction reimbursement grant, and (3) work on a public school administrative or service facility that is located outside of a public school building.

Project Completion and Maintenance

Under the act, any project that receives an indoor air quality improvement grant award must be completed by the end of the next calendar year. However, the DAS commissioner may extend the project duration if the recipient board or RESC shows good cause.

The act places the responsibility for an HVAC system's routine maintenance and cleaning with the grant recipients and requires them to train school personnel and building maintenance staff on the system's proper use and maintenance.

EFFECTIVE DATE: July 1, 2022

Background — Adjusted Equalized Net Grand List (AENGL) Per Capita

AENGL per capita is a measure of town property wealth. It is calculated using the following formula:

1. Take the town's net grand list for the three years before the fiscal year when the grant will be paid, equalized by the OPM secretary to calculate ECS grants consistent with state law.
2. Divide the above number by the product of the (a) town's total population and (b) ratio of the town's per capita income to the per capita income of the town at the 100th percentile of all towns when ranked from lowest to highest in per capita income (CGS § 10-261).

§ 368 — HVAC SYSTEM PIPELINE TRAINING PILOT PROGRAM

Requires OWS to establish an HVAC system pipeline training program

By March 1, 2023, the act requires the Office of Workforce Strategy (OWS), in consultation with DOL, OHE, and Technical Education and Career System (TECS), to establish, within available appropriations, an HVAC system pipeline training pilot program.

The pilot program must develop pre-apprenticeship workforce pipeline training programs that meet the following criteria:

1. are designed to identify and support, and are offered to, people from

OLR PUBLIC ACT SUMMARY

- underserved and underrepresented populations and historically marginalized communities in the training for (a) installation and maintenance of HVAC systems and (b) any related trades and
2. include comprehensive career navigational and wraparound training services, including recruitment; job coaching; and supportive services such as transportation services and job placement support.

Selection of Participating Organizations and Participants

Under act, OWS must consult with DOL to develop selection criteria prioritizing the following: (1) low-income and underrepresented people who live in a municipality with a population greater than 100,000 and (2) nonprofit and community-based organizations that currently serve low-income and underrepresented people.

The act allows OWS, in consultation with DOL, OHE, and TECS, to identify recent HVAC program participants in the state and support them in transitioning to a career to immediately fill HVAC system talent demands.

Reporting to the Legislature

By December 1, 2023, OWS must report to the governor and the Education, Higher Education, and Labor committees on the number of people who have (1) enrolled in a training program offered as part of the pilot, (2) completed these training programs, and (3) completed a program and obtained a permanent job in the HVAC system sector.

EFFECTIVE DATE: July 1, 2022

§ 369 — INDOOR AIR QUALITY IN SCHOOLS

Generally requires school boards to conduct a uniform inspection and evaluation of the HVAC system in each school building under its jurisdiction every five years; requires the HVAC inspection report to be made public at a school board meeting and online and include any corrective actions; requires the existing air quality inspections to take place every three years rather than five

Five-Year Inspection and Evaluation

By January 1, 2024, and then every five years, the act generally requires each board of education to have an inspection and evaluation of the HVAC system in each school building under its jurisdiction.

Inspections are not required if the building will cease to be used as a school within the three years from when the inspection and evaluation would take place.

Ventilation Inspection and Report

A certified testing, adjusting, and balancing technician, an industrial hygienist certified by the American Board of Industrial Hygiene or the Board for Global EHS

Credentialing, or a mechanical engineer must perform the inspection and evaluation.

Under the act, a “certified testing, adjusting and balancing technician” is (1) a technician certified to perform testing, adjusting, and balancing of HVAC systems by the Associated Air Balance Council, the National Environmental Balancing Bureau, or the Testing, Adjusting and Balancing Bureau (TABB) or (2) an individual training under the supervision of an (a) TABB certified technician or (b) person certified to perform ventilation assessments of HVAC systems through a certification body accredited by the American National Standards Institute.

The act includes specific features that must be in the HVAC system inspection and evaluation, including the following:

1. testing for maximum filter efficiency;
2. physical measurements of outside air rate;
3. verification of ventilation components’ operation;
4. measurement of air distribution through all inlets and outlets;
5. verification of unit operation and performance of required maintenance in accordance with American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards;
6. verification of control sequences;
7. verification of carbon dioxide sensors and acceptable carbon dioxide indoor air concentrations; and
8. collection of field data for the installation of mechanical ventilation if none exist.

The inspection and evaluation must identify to what extent each school’s current ventilation system components, including any existing central or noncentral mechanical ventilation system, are operating to provide appropriate ventilation to the school building in accordance with ASHRAE’s most recent indoor ventilation standards. The inspection and evaluation must result in a written report that includes any corrective actions needed for the mechanical ventilation system or the HVAC infrastructure. Corrective actions can include (1) installing appropriate filters and carbon dioxide sensors and (2) additional maintenance, repairs, upgrades, or replacement.

Contractors

The act requires any corrective actions to an HVAC system to be performed, where appropriate, by a properly licensed HVAC contractor.

Public Disclosure of Inspections

Any school district conducting an inspection and evaluation must make the results available for public inspection at a regularly scheduled school board meeting and on its website and the school’s website if the school has one.

Existing Air Quality Inspections

Under prior law, school districts had to conduct air quality and HVAC inspections and evaluations every five years on schools that were built, extended, renovated, or replaced after January 1, 2003, using such means as the Environmental Protection Agency's (EPA) Tools for Schools Program. The act requires these inspections and evaluations to instead take place every three years.

By law, unchanged by the act, the inspections must cover the following, among other things: HVAC systems; radon levels; potential for exposure to microbiological airborne particles, including fungi, mold, and bacteria; chemical compounds of concern to indoor air quality, including volatile organic compounds; pest infestation, including insects and rodents; and the degree of pesticide usage. As under existing law, the results of the inspection and evaluation must be made public at a school board meeting and posted online.

EFFECTIVE DATE: July 1, 2022

§ 370 — SCHOOL INDOOR AIR QUALITY WORKING GROUP

Creates a working group to make recommendations about school air quality to the governor and legislature

Group Charge

The act establishes a working group to study and make recommendations related to indoor air quality within schools. The group's recommendations must at least include the following:

1. optimal humidity and temperature ranges to ensure healthy air and promote student learning;
2. the threshold school air quality emergency conditions warranting temporary school closures based on the presence of insufficient heat, an excessive combination of indoor temperature and humidity levels, or other thresholds;
3. criteria for prioritizing HVAC repair and remediation needs, including the public health condition and needs of the students attending a school;
4. optimal HVAC system performance benchmarks for minimizing the spread of infectious disease;
5. protocols for school districts to receive, investigate, and address complaints or evidence of mold, pest infestation, hazardous odors or chemicals, and poor indoor air quality;
6. the frequency with which boards of education should be providing for a uniform inspection and evaluation program of the indoor air quality within schools, such as the EPA's Indoor Air Quality Tools for Schools Program, and whether it should be for all schools or only those constructed before or after a certain date;
7. best practices for properly maintaining school HVAC systems;
8. any other criteria affecting school indoor air quality; and
9. possible legislation to carry out any of the working group's recommendations.

Group Membership and Reporting Deadline

OLR PUBLIC ACT SUMMARY

Under the act, the working group includes the OPM secretary and the commissioners of education, administrative services, labor, public health, consumer protection, and energy and environmental protection, or their respective designees. The group also includes 16 appointed members as shown in the table below.

Appointed Members of the School Indoor Air Quality Working Group

<i>Appointing Authority</i>	<i>Appointee Qualifications</i>
House speaker (3)	<ul style="list-style-type: none"> • Specialist in children's health • Representative of the Connecticut State Building Trades Council • House member
Senate president pro tempore (3)	<ul style="list-style-type: none"> • Representative of ConnectiCOSH • Representative of the Associated Sheet Metal and Roofing Contractors of Connecticut • Senate member
House majority leader (2)	<ul style="list-style-type: none"> • Representative of the Connecticut Education Association • Representative of the Connecticut Association of Boards of Education
Senate majority leader (2)	<ul style="list-style-type: none"> • Representative of the American Federation of Teachers-Connecticut • Representative of the Connecticut Association of Public School Superintendents
House minority leader (2)	<ul style="list-style-type: none"> • An industrial hygienist • Representative of the Mechanical Contractors of Connecticut
Senate minority leader (2)	<ul style="list-style-type: none"> • Medical specialist on respiratory health • Representative of the Council of Small Towns
Governor (2)	<ul style="list-style-type: none"> • A school nurse • Representative of the Connecticut Conference of Municipalities

All appointments must be made by July 6, 2022 (i.e., 60 days after the act's effective date). Vacancies are filled by the appointing authority.

The working group members from the Senate and House must serve as the chairpersons, and they must schedule and hold the group's first meeting by July 6, 2022.

The working group must submit a report on its findings and recommendations to the governor and the education, labor, and public health committees by January 4, 2023. The group terminates on January 4, 2023, or when it submits the report, whichever is later.

EFFECTIVE DATE: Upon passage

§ 371 — SCHOOL CONSTRUCTION SPACE STANDARDS

OLR PUBLIC ACT SUMMARY

Extends the 25% increase in per-pupil square footage limits in state law for school buildings built before 1950 to include those built before 1959

By law, reimbursement grants for school building projects authorized by the legislature must follow per-pupil square footage limits set in state law or regulation. Under prior law, any building constructed before 1950 received a 25% increase to any square footage limit. The act expands eligibility for this increase to include any building constructed before 1959.

EFFECTIVE DATE: July 1, 2022

§ 372 — SCHOOL CONSTRUCTION PRIORITY LIST ADDENDUM

Requires the DAS commissioner to create an addendum to the school construction priority list to include DAS-awarded grants for certain projects lacking legislative approval (i.e., “emergency grants”)

Existing law allows the DAS commissioner to award school construction grants for certain projects without legislative approval (“emergency grants”), within the limit of appropriated funds (see § 373 below). Beginning July 1, 2022, the act requires the commissioner to create an addendum to the school construction priority list project report, which by law she must send to the legislature’s school construction committee before December 31 each year. Under the act, the addendum must contain all emergency grants approved by the DAS commissioner during the previous fiscal year.

EFFECTIVE DATE: July 1, 2022

§ 373 — EMERGENCY SCHOOL CONSTRUCTION PROJECT APPROVAL

Eliminates the DAS commissioner’s authority to approve emergency school construction reimbursement grants for (1) administrative and service facilities and (2) school security projects; removes the requirement that a superintendent notify the DAS commissioner of the need for an emergency grant and formally apply within a certain timeframe

The act subjects grants for the following projects to legislative approval, eliminating the DAS commissioner’s authority to approve reimbursement grants on an emergency basis: (1) public school administrative or service facilities and (2) school security projects, including improvements to existing school security infrastructure or new infrastructure installation. Accordingly, these types of projects must instead appear on the school priority list and the project report that DAS submits to the legislature’s school construction committee for approval every December. By law and unchanged by the act, the commissioner may continue to approve emergency grants for the following purposes:

1. remedying fire and catastrophic damage;
2. correcting safety, health, and other code violations;
3. replacing roofs, including skylight installations;
4. remedying a certified school indoor air quality emergency;
5. insulating exterior walls and attics; or
6. purchasing and installing a limited use and limited access elevator,

windows, photovoltaic panels, wind generation systems, building management systems, or portable classrooms.

The act also removes the requirement that a superintendent notify the DAS commissioner of the need for an emergency grant and formally apply within a certain timeframe. Under prior law, a superintendent had seven calendar days after discovering the emergency to notify the commissioner in writing about the reason for the emergency grant, and to receive the grant he or she had to apply to the commissioner within six months after submitting the written notice.

EFFECTIVE DATE: July 1, 2022

§ 374 — SCHOOL CONSTRUCTION PROJECT COMPLETION AND CLOSURE

Requires school construction grant recipients to submit a project completion notice to DAS within three years after a certificate of occupancy is issued

Beginning July 1, 2022, the act requires towns and regional school districts that receive school construction grants to submit a project completion notice to DAS within three years after the date a certificate of occupancy for the project was issued. If a grant recipient does not submit this notice on time the DAS commissioner must deem the project complete and perform a final project audit. By law, DAS must conduct an audit within five years after a school district files a notice of project completion (CGS § 10-286e(a)).

Additionally, the act requires the commissioner to deem a project that was authorized before July 1, 2022, to be complete if its grant recipient (1) has received a certificate of occupancy and (2) has not submitted a project completion notice to DAS on or before July 1, 2025.

The act also makes technical changes.

EFFECTIVE DATE: July 1, 2022

§ 376 — SCHOOL CONSTRUCTION BIDDING REQUIREMENTS AND CONSTRUCTION MANAGEMENT SERVICES

Eliminates from prior law the (1) newspaper advertising requirement for public invitations to bid on orders and contracts for school construction services and (2) option for a construction manager to self-perform any school construction project element, which was set to take effect beginning on July 1, 2022; requires the construction manager to invite bids on project elements on the State Contracting Portal

Public Invitations to Bid

The act eliminates the newspaper advertising requirement for public invitations to bid on orders and contracts for (1) school building construction projects receiving state grants, (2) architectural services, and (3) construction management services. Prior law required these public invitations to bid to be advertised in a newspaper having circulation in the town where the construction will take place, except for certain projects such as those using a state contract. The act retains provisions in prior law requiring a public bidding process, but it does not specify a particular

method for giving public notice of bidding opportunities.

Construction Manager Self-Performance

The act eliminates the option for a construction manager to self-perform any project element, which prior law would have allowed beginning July 1, 2022. Prior law conditioned this option upon the (1) DAS commissioner and the awarding authority determining that the construction manager could self-perform the work more cost-effectively than a subcontractor and (2) commissioner's written approval.

Subcontractor Bids

For subcontractor bids on school building projects, the act requires the construction manager to invite bids on project elements and give notice of bidding opportunities on the State Contracting Portal. It explicitly deems the construction manager ineligible to bid on any project element. The act requires that each bid be kept sealed until opened publicly at the time and place stated in the bid solicitation notice. After consultation with, and approval by, the employing town or regional school district, the construction manager must award any related contracts for project elements to the lowest responsible qualified bidder. By law and unchanged by the act, construction cannot begin before the guaranteed maximum price is determined (except for site preparation and demolition work).

EFFECTIVE DATE: July 1, 2022

§§ 380-405 & 516 — SCHOOL CONSTRUCTION PROJECT EXEMPTIONS, WAIVERS, MODIFICATIONS, AND A REPEAL

Exempts school construction projects in 16 towns and one regional school district from certain statutory and regulatory requirements to allow them to, among other things, qualify for state reimbursement grants, receive higher grant reimbursement percentages, or have their projects reauthorized due to a change in scope; repeals a prior project authorization

The act exempts school construction projects in 16 towns and one regional school district from various statutory and regulatory requirements to allow them to, among other things, (1) qualify for state reimbursement grants, (2) receive higher reimbursement percentages for the grants, or (3) have their projects reauthorized due to a change in scope. These exemptions are referred to as "notwithstanding." Generally, other than the specific notwithstanding provisions mentioned below, the projects must meet all other eligibility requirements.

Additionally, the act repeals a Danbury high school project on the 2020 priority list.

EFFECTIVE DATE: Upon passage

Exemptions, Waivers, and Modifications (§§ 380-405)

The table below describes the notwithstandings that the act grants.

OLR PUBLIC ACT SUMMARY

Notwithstandings for School Construction Projects

§	Town	School and Project	Exemption, Waiver, or Other Change
380	New Britain (state project)	E.C. Goodwin Technical High School, project unspecified but includes installing an artificial turf athletic field	Waives the filing deadline to be on the 2022 priority list (§ 362) and grants the project a maximum cost of \$45 million if the application is filed before October 1, 2023
381	Stamford	Westhill High School, new construction	Sets the project reimbursement rate at 80%, rather than 20%, if Stamford establishes a pathway-to-career regional program at the new school and enrolls students from, and shares services with, surrounding towns to reduce racial isolation in the community*
382(a) & (b)	Torrington	Torrington Middle & High School, new construction	Reauthorizes a new construction project that has changed substantially in scope or cost, if its cost does not exceed \$179,575,000, and waives the filing deadline to be on the 2022 priority list (§ 362) Allows a project reimbursement rate of 85% rather than 62.86%*
382(c)	Torrington	Torrington Middle & High School, construction of a central administration facility	Sets the allowable project reimbursement rate at 85%, including for any costs that would otherwise be reimbursed at one-half of this rate
383	Norwalk	Norwalk High School, new construction	Increases the maximum cost of a 2020 notwithstanding for the same project from \$189 million to \$239 million
384	Danbury	Danbury Career Academy at Cartus, new construction	Waives the filing deadline requirement to be on the 2022 priority list (§ 362) and grants the project a maximum cost of \$154 million, if the town files an application before October 1, 2022 Sets the project reimbursement rate at 80% rather than 53.93%, including for site acquisition, limited eligible costs, and the associated central administration project* Waives the standard building space requirements

OLR PUBLIC ACT SUMMARY

§	Town	School and Project	Exemption, Waiver, or Other Change
			<p>Sets the project reimbursement rate at 80% for purchasing land adjacent to the project site</p> <p>Allows the town to receive reimbursement for certain ineligible project costs if they do not exceed \$992,842</p>
385	Farmington	Farmington High School, new construction of high school and outdoor athletic facilities	Sets the project reimbursement rate at 30% for both projects, rather than 18.93%, including for any athletic facilities costs that would otherwise be reimbursed at one-half of this rate*
386	Farmington	Farmington High School, central administration facility	Sets the project reimbursement rate at 30%, including for any costs that would otherwise be reimbursed at one-half of this rate
387	Ellington	Windermere Elementary School, renovation and extension and alteration	<p>Waives the filing deadline to be on the 2022 priority list (§ 362) and grants the project a maximum cost of \$61.64 million if the town files an application before October 1, 2022</p> <p>Sets the project reimbursement rate at 70% rather than 56.43% to address the presence of pyrrhotite in the foundation*</p>
388	Manchester	Keeney Elementary School, renovation	<p>Allows an 83.77% reimbursement rate (the 2022 priority list, § 362, allows the same reimbursement rate)</p> <p>Waives the deadline for the town's local financial commitment notices to DAS to avoid a lapse of the grant authorization</p>
389	New Fairfield	New Fairfield High School, code violation	Reauthorizes code violation project that has changed substantially in scope or cost if its cost does not exceed \$1,118,551, and waives the filing deadline to be on the 2022 priority list (§ 362)
390	New Fairfield	Consolidated Early Learning Academy at Meeting Hill House	Makes certain ineligible extension and alteration project costs reimbursable if they do not exceed

OLR PUBLIC ACT SUMMARY

§	Town	School and Project	Exemption, Waiver, or Other Change
		School, extension and alteration	<p>\$2.9 million</p> <p>Waives the standard building space requirements</p>
391	New Fairfield	<p>Unspecified projects accepted as complete by the local board of education for the town at meetings held on</p> <ul style="list-style-type: none"> • October 19, 2017, • May 2, 2019, and • June 6, 2019 	<p>Forgives a refund owed to the state for the unamortized balance of the remaining state grant as of the date the building project was abandoned, sold, leased, demolished, or redirected for use other than as a public school</p>
392	Seymour	Seymour High School, roof replacement and energy conservation project	<p>Makes certain otherwise ineligible roof panel costs eligible for reimbursement and release of final grant retainage</p> <p>Waives the requirement that a construction bid not be let out without DAS plan and specifications approval</p> <p>Waives the standard building space requirements</p>
393	Seymour	Bungay Elementary School, roof replacement and energy conservation project	<p>Makes certain otherwise ineligible roof panel costs eligible for reimbursement and release of final grant retainage</p> <p>Waives the requirement that a construction bid not be let out without DAS plan and specifications approval</p> <p>Waives the standard building space requirements</p>
394	Seymour	Seymour Middle School, energy conservation project	<p>Makes certain otherwise ineligible panel costs eligible for reimbursement and release of final grant retainage</p> <p>Waives the requirement that a construction bid not be let out without DAS plan and specifications approval</p>

OLR PUBLIC ACT SUMMARY

§	Town	School and Project	Exemption, Waiver, or Other Change
			Waives the standard building space requirements
395	Bridgeport	Bassick High School, new construction	Reauthorizes project and allows a change in scope to include land acquisition and site remediation costs if its cost does not exceed \$129 million, and waives the filing deadline to be on the 2022 priority list (§ 362) Sets a 78.93% project reimbursement rate rather than 68.93%*
396	Bristol	Memorial Boulevard Intradistrict Arts Magnet School, extension and alteration	Reauthorizes extension and alteration project that has changed substantially in scope or cost if its cost does not exceed \$63 million, and waives the filing deadline to be on the 2022 priority list (§ 362)
397	Granby	Granby Memorial High School, alteration	Waives the standard building space requirements
398	New Britain	Chamberlain Elementary School, renovation	Amends a 2021 notwithstanding for the same project, which approved a change in scope to include preschool facilities, to require that construction of these facilities occur on a DAS-reviewed and -approved site
399	Hartford	Any school building project related to the District Model for Excellence Restructuring Recommendations and School Closures	Amends a 2019 notwithstanding for these same projects by extending the application deadline by two years (applications are now due before June 30, 2024)
400	Hartford	Bulkeley High School, central administration facility	Reauthorizes the project and allows a change in scope if costs do not exceed \$29.75 million, and waives the filing deadline to be on the 2022 priority list (§ 362) Sets the project reimbursement rate at 95%, including for any costs that would otherwise be reimbursed at one-half of this rate
401	Hartford	Bulkeley High School, renovation	Waives the standard building space requirements

OLR PUBLIC ACT SUMMARY

§	Town	School and Project	Exemption, Waiver, or Other Change
			Sets the project reimbursement rate at 95%, rather than 80%, for the renovation, construction, extension, or major alteration of an athletic facility, gymnasium, or auditorium, including for any costs that would otherwise be reimbursed at one-half of this rate*
402	Region 14 (i.e., Bethlehem and Woodbury)	Nonnewaug High School, extension and alteration	<p>Reauthorizes extension and alteration project that has changed substantially in scope or cost if its cost does not exceed \$1,939,400, and waives the filing deadline to be on the 2022 priority list (§ 362)</p> <p>Waives the standard building space requirements</p>
403	Rocky Hill (Goodwin University-run <i>Sheff</i> magnet school)	Goodwin University PreK School, interdistrict magnet facility: extension, alteration, and site purchase	<p>Waives the filing deadline to be on the 2022 priority list (§ 362) for the project with a maximum cost of \$19,715,574 if Goodwin files an application before December 31, 2022</p> <p>Sets the project reimbursement rate at 100% if the project helps the state meet its <i>Sheff</i> obligations (otherwise reimbursement would be up to 80% plus an additional 5% or 10% depending upon the type of preschool)</p> <p>Waives the standard building space requirements</p>
404	East Hartford (Goodwin University-run <i>Sheff</i> magnet school)	Goodwin University Industry 5.0 Magnet Technical High School, interdistrict magnet facility and alteration	<p>Waives the filing deadline to be on the 2022 priority list (§ 362) for the project with a maximum cost of \$28,986,700 if Goodwin files an application before December 31, 2022</p> <p>Sets the reimbursement rate at 100% if the project helps the state meet its <i>Sheff</i> obligations (otherwise project would have reimbursement of up to 80%)</p>

OLR PUBLIC ACT SUMMARY

§	Town	School and Project	Exemption, Waiver, or Other Change
			Waives the standard building space requirements
405	Hartford (Capitol Region Education Council (CREC)-run Sheff magnet school)	Greater Hartford Academy of the Arts, renovation and new addition	<p>Waives the filing deadline to be on the 2022 priority list (§ 362) for the project with a maximum cost of \$95.9 million if (1) DAS, in consultation with CREC, administers the project's design and construction components as under state law; (2) the purchase and installation of furniture, fixtures, and equipment, and move management is administered as state law requires; and (3) CREC enters into a memorandum of understanding with the DAS commissioner for the project</p> <p>Makes the project eligible for total (100%) project cost reimbursement</p>
*FY 2021 reimbursement rates are shown for reference; actual rates depend upon the year the application is submitted and the final determination of the project type (new or renovation)			

Repealed Project (§ 516)

The act repeals a Danbury high school project approved under a DAS-established pilot program that approves the renovation of commercial space as new. This project, which had a maximum cost of \$93 million, was on the 2020 priority list due to a notwithstanding in the 2020 school construction act (PA 20-8, September Special Session, § 6).

§ 406 — STATE AND CONNECTICUT AIRPORT AUTHORITY BUILDING PERMIT APPLICATIONS

Eliminates the requirement that building permit applications for certain large-scale state and Connecticut Airport Authority construction projects include two copies of the plans and specifications

By law, state agency commissioners and the Connecticut Airport Authority executive director must obtain building permits for certain large-scale construction projects from the State Building Inspector. Specifically, they must do so for state and authority buildings and structures, or additions to them, that exceed certain statutory threshold limits or include residential occupancies for at least 25 people.

Under existing law, plans and specifications must accompany applications for these permits. The act eliminates a related requirement that two copies of the plans and specifications be included.

EFFECTIVE DATE: July 1, 2022

§ 407 — STATE BUILDING CODE VARIATIONS, EXEMPTIONS, AND EQUIVALENT OR ALTERNATE COMPLIANCE LIST

Allows DAS to publish the biennial list of State Building Code variations, exemptions, and equivalent or alternate compliance on its website rather than sending it to all local building officials

By law, the state building inspector and the Codes and Standards Committee, in conjunction with the DAS commissioner, must create a list of the State Building Code variations, exemptions, and equivalent or alternate compliance granted for existing buildings in the previous two calendar years and update the list biennially. The act allows the DAS commissioner to publish the list on the department's website rather than, as under prior law, sending it to all local building officials and taking appropriate actions to publicize it. Under existing law, unchanged by the act, the commissioner must educate local building officials and the public on how to use the list.

EFFECTIVE DATE: July 1, 2022

§ 408 — PROPERTY TAX CREDIT INCREASE

Beginning with the 2022 tax year, increases the property tax credit from \$200 to \$300 and expands the number of taxpayers who may claim it

Beginning with the 2022 tax year, the act increases the property tax credit against the personal income tax from \$200 to \$300. It also expands the number of people eligible to claim the credit by eliminating prior law's provisions that limited it to residents who are age 65 or older or claim dependents on their federal tax return.

By law, taxpayers earn the credit for property taxes paid on their primary residences or motor vehicles, and the amount of property taxes paid that may be taken as a credit declines as adjusted gross income (AGI) increases, until completely phased out.

EFFECTIVE DATE: Upon passage

§ 409 — EARNED INCOME TAX CREDIT (EITC)

Increases the state EITC from 30.5% to 41.5% of the federal credit starting in the 2023 tax year

Beginning with the 2023 tax year, the act increases the state EITC from 30.5% to 41.5% of the federal credit. The EITC is a refundable tax credit available to people who work and earn incomes less than certain amounts. (PA 22-146, § 31, repeals this provision.)

EFFECTIVE DATE: July 1, 2022

§ 410 — EITC ENHANCEMENT PROGRAM

OLR PUBLIC ACT SUMMARY

Establishes a personal income tax exemption for income from the 2020 and 2021 EITC enhancement program

The act creates a personal income tax exemption for the 2022 tax year for any income a resident received through the 2020 and 2021 EITC enhancement program, to the extent it was includable in gross income for federal tax purposes. Under the program, taxpayers receive a payment equal to a certain percentage of the federal tax credit they received for the applicable income year. Federal CARES Act and ARPA funds pay for the program.

EFFECTIVE DATE: Upon passage

§ 410 — PENSION AND ANNUITY TAX EXEMPTION ACCELERATION

Accelerates the pension and annuity income tax exemption phase-in by allowing qualifying taxpayers to deduct 100% of this income beginning with the 2022 tax year

The act accelerates the phase-in of the pension and annuity income tax exemption. Under prior law, qualifying taxpayers could deduct (1) 56% of this income in the 2022 tax year, (2) 70% in the 2023 tax year, (3) 84% in the 2024 tax year, and (4) 100% in the 2025 tax year and beyond. The act instead makes pension and annuity income fully tax exempt starting with the 2022 tax year.

By law, taxpayers are eligible for this exemption only if their federal AGI is less than (1) \$75,000 for single filers, married people filing separately, or heads of households and (2) \$100,000 for married people filing jointly.

EFFECTIVE DATE: Upon passage

§ 411 — CHILD TAX REBATE

Establishes a one-time rebate for qualifying, domiciled taxpayers in Connecticut equal to \$250 for each child, for up to three children

The act establishes a one-time rebate for qualifying, domiciled taxpayers in Connecticut equal to \$250 for each child (i.e., an individual who is age 18 or younger as of December 31, 2021). Taxpayers may claim the credit for up to three children whom they validly claimed as dependents on their federal income tax return for the 2021 tax year.

Under the act, taxpayers are eligible for the full rebate if their federal AGI for the 2021 tax year is less than or equal to certain thresholds, which vary by filing status. For taxpayers whose income exceeds these thresholds, the rebate phases out at a rate of 10% for every \$1,000, or fraction of \$1,000, of AGI exceeding the threshold (e.g., a single filer with a federal AGI of \$101,500 is eligible for 80% of the full rebate amount). The following table shows the income thresholds at which taxpayers are (1) eligible for the full rebate and (2) ineligible for the rebate.

Rebate Thresholds

Filing Status	Maximum Rebate Threshold	No Rebate
	Federal AGI ≤	Federal AGI >
Single or Married Filing Separately	\$100,000	\$110,000
Head of Household	160,000	170,000
Joint Filers or Surviving Spouse	200,000	210,000

To claim a rebate, a taxpayer must apply to DRS by July 31, 2022. The commissioner must (1) make the application available by June 1, 2022, and (2) require any information necessary to administer the act's provisions, including the name, age, and Social Security number of each child the taxpayer claimed as a dependent in the 2021 tax year. Applications must be filed with DRS electronically and under penalty of false statement.

Under the act, the rebate is not considered income for personal income tax purposes or for determining state program eligibility. Rebate eligibility must be determined without regard to any EITC amount the taxpayer received.

The act specifies that the rebate is subject to withholding if a recipient (1) owes state or municipal taxes or other obligations or (2) is in default of a student loan made by the Connecticut Student Loan Foundation or the Connecticut Higher Education Supplemental Loan Authority (CGS §§ 12-739 & 12-742).

EFFECTIVE DATE: Upon passage

§ 412 — INCOME TAX CREDIT FOR STILLBIRTHS

Establishes a \$2,500 income tax credit for the birth of a stillborn child

The act establishes a \$2,500 personal income tax credit for the birth of a stillborn child if the child would have been claimed as the taxpayer's dependent on his or her federal income tax return. Taxpayers may claim the credit for the tax year for which the Department of Public Health's State Vital Records Office issued a stillbirth certificate. The credit amount applies regardless of the taxpayer's filing status.

EFFECTIVE DATE: July 1, 2022, and applicable to tax years beginning on or after January 1, 2022.

§§ 413-414 — MOTOR VEHICLE MILL RATE CAP LOWERED

Beginning with FY 23, reduces the motor vehicle mill rate cap from 45 to 32.46 and modifies the reimbursement grant formula; authorizes municipalities and districts to adjust their motor vehicle mill rate for FY 23

Beginning in FY 23, the act decreases the motor vehicle mill rate cap from 45 to 32.46 mills. It also adjusts the reimbursement formula for motor vehicle property tax grants ("municipal transition grants"), which are designed to reimburse municipalities for a portion of the revenue lost due to the motor vehicle mill rate cap.

OLR PUBLIC ACT SUMMARY

The act correspondingly authorizes municipalities and districts that set their FY 23 motor vehicle mill rate before the act's passage to revise them before June 15, 2022. Municipalities may do so (1) by vote of their legislative body (or if it is a town meeting, its board of selectman) and (2) regardless of conflicting special act, municipal charter, or home rule ordinance provisions.

Reimbursement Formula

Previously, municipalities that imposed a mill rate over 45 mills on real and personal property, other than motor vehicles, were eligible for the grants. The statutory formula specified that the grant amount equaled the difference between the amount of property taxes a municipality, and any tax district in it, (1) levied on motor vehicles for the 2017 assessment year (i.e., FY 19) and (2) would have imposed for that year if the motor vehicle mill rate was the same as the rate for other property. Under prior law, (1) the mill rate used to calculate a municipality's grant eligibility and amount was the sum of its mill rate and that of its tax districts and (2) municipalities had to disburse to districts the portion of the grants attributable to them within 15 days after receiving the grants.

Under the act, beginning in FY 23, grants to municipalities are instead calculated using the (1) act's 32.46 mill rate cap and (2) preceding fiscal year's tax levy data, rather than FY 19. Thus, grants for FY 23 equal the difference between the amount of property taxes the municipality would have levied on motor vehicles for FY 22 (i.e., the 2020 assessment year) if the motor vehicle mill rate imposed for that year was (1) 32.46 mills and (2) equal to the mill rate it imposed on real property and personal property other than motor vehicles.

Additionally, beginning in FY 23, the act makes districts eligible for the grants if they imposed taxes on real property and personal property other than motor vehicles for the preceding fiscal year at a mill rate that, when combined with the municipality's mill rate, exceeded 32.46 mills. The grant amount equals the difference between the amount of taxes the district would have levied on motor vehicles for the preceding fiscal year if the mill rate imposed on motor vehicles for that year, when added to the municipality's motor vehicle mill rate for that year, was (1) 32.46 mills and (2) equal to the mill rate it imposed on real property and personal property other than motor vehicles.

EFFECTIVE DATE: Upon passage

§§ 415-418 — ABANDONED PROPERTY PROGRAM

Expands the range of property the treasurer must publish in his abandoned property notice and changes the notice's required format; establishes conditions under which the treasurer may automatically pay abandoned property amounts of less than \$2,500 to the property's sole owner; requires the treasurer to notify certain abandoned property owners by mail about the process for verifying their property ownership and claiming it; eliminates aggregate reporting of abandoned property valued at less than \$50

Searchable List of Abandoned Property

OLR PUBLIC ACT SUMMARY

By law, most property held or owed in the state that remains unclaimed by the owner is presumed abandoned after a specified amount of time passes and escheats to the state as abandoned (or unclaimed) property. Prior law required the treasurer to biennially publish an abandoned property notice on his website and include the property, valued at \$50 or more, that (1) was presumed abandoned and reported or transferred to him during the preceding two calendar years and (2) did not previously appear on the list. The act instead requires the treasurer to maintain a readily searchable list of all such property, regardless of its value, for which there is sufficient information for him to identify its apparent owner. In doing so, it aligns the statutes to the treasurer's existing practice.

As prior law required for the posted notice, the act requires the searchable list to contain the names and last-known addresses, if any, of anyone reported as an apparent abandoned property owner and any other information the treasurer adds. The act also requires the list to include the property's amount and description and the property holder's name and address, as prior law required for the biennial notice, but eliminates the requirement that it include a statement that anyone with an interest in the property can receive this information from the treasurer free of charge.

The act also makes a conforming change by eliminating a law invalidating any agreement to locate property if it is made within two years of the date the treasurer published the notice of abandoned property.

Automatic Payments of Abandoned Property

The act requires the treasurer to automatically pay abandoned property claims valued at less than \$2,500 to individuals if he (1) has determined that the individual is the property's sole owner and (2) is satisfied that he has this individual's current address. In doing so, it supersedes the existing law requiring anyone claiming an interest in abandoned property to file a certified claim with the treasurer establishing that they are entitled to recover it.

Notice by First-Class Mail

The act generally requires the treasurer to notify by first-class mail each person (1) reported as the apparent owner of abandoned property during the preceding calendar year and (2) for whom the holder reported a last-known address. The notice must include the property's amount and description and how the owner may verify ownership and claim it. The act excludes from this notification requirement anyone paid, or who will be paid, an automatic payment as described above.

Aggregate Reporting

The act eliminates provisions requiring anyone holding property presumed abandoned to report in the aggregate items valued at less than \$50. It also eliminates the treasurer's authority to approve aggregate reporting of 200 or more items if each item is valued at less than \$50 and the cost of reporting the items would be

disproportionate to the amounts involved. It repeals a related provision requiring property holders who make this aggregate reporting election to assume responsibility for any valid claim presented for these items for 20 years.

EFFECTIVE DATE: January 1, 2023

§ 419 — STUDENT LOAN PAYMENT TAX CREDIT

Expands the loans eligible for the student loan payment tax credit and allows “qualified small businesses” to apply to the DRS commissioner to exchange the credit for a refund

Eligible Loans

Existing law allows businesses that make payments on qualified employees’ eligible student loans to claim a tax credit against the corporation business or insurance premiums tax equal to 50% of the payments made, up to an annual credit maximum of \$2,625 per employee. Under prior law, businesses could claim this credit only for payments made on refinancing loans made by the Connecticut Higher Education Supplemental Loan Authority (CHESLA). The act instead allows them to claim a credit for payments made on any CHESLA-issued loan.

By law, “qualified employees” are generally those who (1) work full time for a Connecticut licensed corporation that is subject to state taxes, (2) earned their first bachelor’s degree in the last five years, and (3) live and work in the state.

Qualified Small Businesses

The act allows “qualified small businesses” to apply to the DRS commissioner to exchange the credit for a refund equal to the credit’s value. It defines a qualified small business as one with gross receipts of \$5 million or less in the income or calendar year, as applicable, in which the credit is allowed.

Under the act, applications for credit refunds must be filed by the (1) original deadline for the tax return for the income or calendar year in which the credit was earned or (2) return’s extended deadline. The applications must be filed on forms and with the information the DRS commissioner prescribes and may not be filed after these deadlines have passed.

Any refunds (1) must be made in accordance with existing corporation business tax or insurance premiums tax laws and procedures and (2) do not accrue interest. Refunds made under the act are subject to an existing law that specifies how partial payments must be applied to outstanding state tax liability, penalties, and interest. However, it is unclear how this provision would apply.

EFFECTIVE DATE: Upon passage, and applicable to calendar and income years beginning on or after January 1, 2022.

§§ 420-424 — JOBSCT TAX REBATE PROGRAM

Establishes the JobsCT tax rebate program under which companies in specified industries may earn rebates against the insurance premiums, corporation business, and pass-through entity taxes for reaching certain job creation targets

OLR PUBLIC ACT SUMMARY

The act establishes the JobsCT tax rebate program under which companies in specified industries may earn rebates against the insurance premiums, corporation business, and pass-through entity (PE) taxes for reaching certain job creation targets. The rebate is based on (1) the number of new full-time equivalent employees (FTEs) the business creates and maintains, (2) these FTEs' average wage, and (3) the state income tax that a single filer would pay on this average wage.

Under the act, the rebate program is administered by DECD. A business is eligible for the program (i.e., a qualified business) if it is subject to at least one of the above taxes and in an industry related to finance, insurance, manufacturing, clean energy, bioscience, technology, digital media, or any similar industry, as determined by the DECD commissioner. Generally, the business must create and maintain at least 25 new FTEs to claim a rebate. The act establishes minimum wage requirements that the new FTEs must meet to qualify for the rebate but allows the DECD commissioner to waive these requirements for FTEs meeting other criteria (i.e., "discretionary FTEs").

Generally, the rebate equals 25% of the state income tax paid by the new FTEs (50% for FTEs in an opportunity zone or distressed municipality). The act establishes a minimum rebate of \$1,000 per new FTE (\$750 per discretionary FTE) and a maximum of \$5,000 per new or discretionary FTE. However, it doubles the minimum amounts for rebates earned, claimed, or payable before January 1, 2024 (i.e., \$2,000 per new FTE and \$1,500 per discretionary FTE). It allows a business to receive rebates in up to seven successive years, beginning with the second year after it is accepted into the program. The rebate is refundable if it exceeds the business's tax liability and may exceed the existing insurance premiums and corporation business tax credit limits. The act caps the total rebate amount awarded at \$40 million per fiscal year.

Lastly, the act repeals obsolete language about insurance premiums and corporation business tax credit caps.

EFFECTIVE DATE: July 1, 2022, and applicable to taxable years commencing on or after January 1, 2023, except that a provision about the order of corporation business tax credits is applicable to income years commencing on or after January 1, 2023.

JobsCT Rebate Program Eligibility (§ 420)

Under the act, an eligible business qualifies for the rebate if it creates and maintains at least 25 new or discretionary FTEs. New FTEs are those that did not exist in the state when the business applied to the DECD commissioner for acceptance into the program. They exclude FTEs (1) acquired due to a merger or acquisition, (2) employed in the state by a related person (e.g., entities controlled by the business) within the previous 12 months, or (3) hired to replace FTEs that existed in the state after January 1, 2020. The act allows the DECD commissioner to issue implementation guidance.

To qualify as a new FTE, an employee must be paid wages sourced to the state (i.e., qualified wages) of at least 85% of the median household income for the

location where the position is primarily based or \$37,500, whichever is greater. Both measures are proportionally reduced for fractional FTEs (e.g., the wage floor is \$18,750 for a 0.5 FTE).

The act creates an exception to these wage requirements for new discretionary FTEs (see below).

Program Application (§ 420)

Form (§ 420(c)). Under the act, qualified businesses seeking the rebates must apply to the DECD commissioner on a form he prescribes. The form may require the following information:

1. the number of new FTEs the business will create,
2. the number of FTEs it currently employs,
3. feasibility studies or business plans for the projected number of new FTEs,
4. projected state and local revenue reasonably derived from the increased FTEs, and
5. any other information needed to determine whether there will be net benefits to the economy of the municipality or municipalities where the business is located and the state.

The act allows the commissioner to require the business to submit additional information to evaluate an application.

DECD Review and Approval (§ 420(c)). The act requires the DECD commissioner, when reviewing the application, to determine whether the (1) qualified business can reasonably meet the hiring targets and other metrics stated in the application and (2) proposed job growth would (a) provide a net benefit to economic development and employment opportunities in the state and (b) exceed the number of jobs the business had before January 1, 2020. Under the act, the business must meet each of these requirements to be eligible for the rebate program.

The act requires the DECD commissioner to approve or reject the application within 90 days after receiving it. He may approve the application in whole, in part, or with amendments. If he rejects an application, he must identify the defects and explain the specific reasons for the rejection.

The act allows the commissioner to combine the approval of an application with the exercise of any of his other powers, including providing other financial assistance.

Discretionary FTEs (§ 420(c)). Under the act, a discretionary FTE is an FTE paid qualified wages who does not meet the act's wage requirements (see above) but is approved by the DECD commissioner. The act allows the commissioner to approve an application in whole, in part, or with amendments, if a majority of the new discretionary FTEs meet any of the following criteria:

1. are receiving, or have received, services from the Department of Aging and Disability Services because of a disability;
2. are receiving employment services from the Department of Mental Health and Addiction Services or participating in employment opportunities or day services operated or funded by the Department of Developmental Services;
3. have been unemployed for at least six of the preceding 12 months;

4. have been convicted of a misdemeanor or felony;
5. are veterans;
6. lack a postsecondary credential and are not currently enrolled in a postsecondary institution or program; or
7. are currently enrolled in a workforce training program fully or substantially funded by the employer that results in the individual earning a postsecondary credential.

Awarding the Rebate (§ 420)

Contract and Allocation Notice (§ 420(c)). The act requires the DECD commissioner to enter into a contract with an approved qualified business. The contract must at least include the business's consent for DECD to access data from other state agencies, including the Labor Department, for audit and enforcement purposes. Additionally, if the commissioner approves the business for new discretionary FTEs, the contract must include the required wage that the business must pay them.

After signing the contract, the act requires the DECD commissioner to issue the business a rebate allocation notice that certifies its eligibility to claim the rebate if it meets the terms stated in the notice. The notice must state the maximum rebate available for the rebate period and the specific terms the business must meet to qualify.

Voucher (§ 420(i) & (j)). The act requires approved qualified businesses to provide information to the DECD commissioner, annually by January 31 during their rebate period, on the number of new or discretionary FTEs created or maintained during the previous calendar year and their qualified wages. It allows DECD to audit this information.

The act requires DECD to issue a rebate voucher to an approved qualified business by March 15 in each year of the rebate period. The voucher must state the rebate amount and the taxable year against which the rebate may be claimed. Under the act, the DECD commissioner must annually provide the revenue services commissioner with a report detailing all rebate vouchers. (The act does not specify a deadline for this report.)

Rebate Period (§ 420(h)). The act allows a business to receive a rebate for up to seven successive calendar years. It prohibits DECD from granting a rebate until at least 24 months after the commissioner approves the business's application.

Annual Report (§ 420(k)). The act requires the DECD commissioner to annually report to the Office of Policy and Management (OPM) beginning January 1, 2023, on the rebate program's expenses and the number of FTEs and discretionary FTEs created and maintained. The commissioner must submit the report in consultation with the state comptroller's office and state auditors.

Rebate Calculation (§ 420)

FTE Calculation (§ 420(d)). Under the act, FTEs may be full-time (i.e., employees who work at least 35 hours per week) or part-time employees. One FTE

consists of a job in which an employee works or is expected to work at least 1,750 hours in a calendar year (i.e., 35 hours per week for 50 weeks). For employees who work fewer than 1,750 hours, an FTE fraction is calculated by dividing the number of hours worked by 1,750. The act allows the DECD commissioner to adjust the FTE calculation.

New FTEs (§ 424(e)). Under the act, an approved qualified business must employ at least 25 new FTEs in Connecticut by December 31 in the calendar year that is two years before the calendar year in which it claims the rebate. For calculating the rebate, new FTEs refers to the number of new FTEs (1) created two years before the rebate year or (2) maintained in the year before the rebate year, whichever is less.

The rebate is based on (1) the number of new FTEs created or maintained (see above), (2) their average wage, and (3) the state income tax that a single filer would pay on this average wage. Generally, if the new FTEs are in an opportunity zone or distressed municipality (i.e., “designated locations”), the rebate equals 50% of the average state income tax that these employees would pay, multiplied by the number of employees. If the new FTEs are outside of these locations (i.e., “other locations”), the rebate equals 25% of the average state income tax that these employees would pay, multiplied by the number of employees.

Under the act, the total rebate is calculated by adding the rebate amount from the designated locations to the amount from the other locations, as shown in the figure below.

JobsCT Rebate Calculation

New FTEs in designated locations		New FTEs in other locations		Total rebate amount
x	+	x	=	
50% of the income tax that would be paid on these employees’ average wage		25% of the income tax that would be paid on these employees’ average wage		

Rebate Floor and Ceiling (§ 420(e)). The act generally establishes a rebate floor of \$1,000 per new FTE, regardless of where it is created. However, for tax credits earned, claimed, or payable before January 1, 2024, the rebate floor equals \$2,000 per new FTE. It caps the rebates at \$5,000 per new FTE.

Discretionary FTEs (§ 420(f)). Under the act, the process for calculating the rebates for new discretionary FTEs is the same as the process for calculating the rebates for new FTEs (see above). Additionally, new discretionary FTEs have the same \$5,000 per FTE cap as new FTEs. However, the floor for new discretionary FTEs is (1) \$750 per FTE generally and (2) \$1,500 for credits earned, claimed, or payable before January 1, 2024.

FTE Minimum (§ 420(e), (f) & (h)). The act prohibits a business from receiving a rebate if it did not maintain at least 25 new FTEs or new discretionary FTEs (as applicable) in the calendar year immediately before the calendar year in which it claimed the rebate.

Additionally, if a business fails to create 25 new FTEs or new discretionary

FTEs in two consecutive calendar years, it must forfeit all remaining rebate allocations unless the DECD commissioner recognizes mitigating circumstances of a regional or national nature, including a recession.

Rebate Caps (§ 420(g)). The act limits the aggregate rebate amount that may be awarded in a fiscal year to (1) \$10 million for discretionary FTEs and (2) \$40 million overall. It prohibits the DECD commissioner from approving an application in whole or in part if doing so would result in exceeding the applicable cap in any fiscal year.

Rebates and Tax Credit Caps (§§ 421-424)

Under the act, JobsCT rebates are treated as credits against the corporation business and PE taxes and offsets against the insurance premiums tax. If the rebate against any of these taxes exceeds the business's liability for that tax, then the DRS commissioner must treat the excess as an overpayment and refund it to the business without interest.

The act allows the JobsCT rebate to exceed existing law's caps on insurance premiums (generally 30-70% of the amount of tax owed by the business) and corporation business tax credits (50.01% of the tax due). Additionally, the act requires that any JobsCT rebate against the corporation business tax be claimed only after the business has claimed any other available credits against the tax.

Under existing law, if a pass-through business (i.e., affected business entity) is subject to the PE tax, its members (i.e., owners) receive an offsetting credit at the personal or corporate income tax level that equals 87.5% of the member's direct and indirect share of the PE tax paid by the pass-through business. The act requires that the members' personal income tax credit be calculated before any JobsCT rebate is applied to the business's PE tax due.

Background — Opportunity Zones

The federal Opportunity Zone program, created as part of the 2017 federal Tax Cuts and Jobs Act (P.L. 115-97), is designed to spur economic development and job creation in distressed communities by providing federal tax benefits for private investments in the zones. The program's tax benefits are available to investors that reinvest gains earned on prior investments in a qualified opportunity zone fund that invests in zone businesses. Investors may receive additional tax benefits if they hold their investments in the fund for at least five, seven, or 10 years. Connecticut has 72 opportunity zones in 27 municipalities that were approved by the U.S. Treasury Department in 2018.

§ 425 — EXPANDED MANUFACTURING APPRENTICESHIP TAX CREDIT

Extends the manufacturing apprenticeship tax credit to the pass-through entity tax for tax years beginning on or after January 1, 2022

The act extends the manufacturing apprenticeship tax credit to the affected business entity tax (i.e., pass-through entity or PE tax), allowing members of pass-

through entities (e.g., limited liability companies (LLCs) and S corporations) to claim the credit against this tax and reduce their PE tax liability. The act allows pass-through entities to do so for tax years beginning on or after January 1, 2022, and requires that the available credit be based on the PE tax due before applying this credit or any other payments against the tax.

Although prior law allowed pass-through entities to earn the manufacturing apprenticeship tax credit, it barred their owners from claiming it. Instead, prior law allowed them to cash in their credits by selling, assigning, or transferring them to businesses that could apply them against the corporation business tax, utility companies tax, and petroleum products gross earnings tax. The act eliminates this authorization for tax years beginning on or after January 1, 2022.

By law, the manufacturing apprenticeship tax credit is available for each apprentice under a qualified training program and equals the lesser of \$6 per hour the apprentice works, \$7,500, or 50% of the actual apprenticeship wages. Taxpayers may claim it in the first year of a two-year program or the first three years of a four-year program.

The act also makes conforming and technical changes.

EFFECTIVE DATE: July 1, 2022, and applicable to income or tax years beginning on or after January 1, 2022.

§ 426 — BRAINARD AIRPORT PROPERTY STUDY

Requires DECD to have an analysis conducted on the benefits and opportunity costs to Hartford and the state of the current and alternative uses of the Hartford Brainard Airport property; generally prohibits the CAA from further encumbering the property

Required Study and Goals

The act requires the state to assess the benefits and opportunity costs to Hartford and the state of the current and alternative uses of the Hartford Brainard Airport property. The state must do so in a way that is consistent with and supports the act's stated goals of promoting the health, welfare, and safety of people in Connecticut; increasing their quality of life; boosting tourism; stimulating the economy; and enhancing people's ability to enjoy the Connecticut river.

Entities Conducting the Analysis

The act requires the DECD to have this analysis conducted. To do so, DECD must issue a request for proposals for an entity to oversee the analysis and produce the report. The act requires the selected entity to subsequently issue separate requests for qualifications to hire consultants, entities, or both, to take on the analysis' economic, environmental, and regulatory components. The entity must select consultants and entities whose expertise best lends itself to analyzing these specific subjects.

The act requires the Connecticut Airport Authority (CAA) to assist and collaborate with these entities and consultants. It also requires DEEP to obtain from the U.S. Army Corps of Engineers any information or reports it has generated in

the last 10 years about the Connecticut River in Hartford and Wethersfield. DEEP must provide the information or reports to DECD to distribute to the appropriate consultants or entities to inform their analysis.

DECD must submit a report of the analysis's findings by October 15, 2023, to the Finance, Revenue and Bonding Committee.

Study Scope

The act requires the analysis to identify the following:

1. the economic impact (direct, indirect, quantitative, and qualitative) to the state and surrounding region of the property's (a) current use and (b) alternative uses, including commercial, residential, and recreational opportunities;
2. the environmental or flood control obstacles to the property's alternative uses, including conducting any required site testing;
3. the possible ways and associated costs of making the property environmentally developable;
4. any federal, state, or local governmental obstacles (including existing contracts) to developing alternative uses, the possible ways to remove the obstacles, and their associated costs; and
5. the property's highest and best use if it is not its current use.

To identify the highest and best use, the study must consider (1) its findings on economic impact and environmental and governmental obstacles and (2) the act's stated goals (i.e., promoting people's health, welfare, and safety; increasing quality of life; boosting tourism; stimulating the economy; and enhancing enjoyment of the Connecticut River).

Limitation on CAA Agreement and Obligations

From July 1, 2022, to May 31, 2024, the act generally prohibits the CAA from entering into any agreements or incurring any obligations that would further encumber the property or prohibit or impinge developing alternative uses. It excludes from this prohibition any agreement or obligation that allows for termination without liability in the event the airport closes in the future; the termination must occur within 6 months after the decision is made to close the airport.

The act also excludes from this prohibition the acceptance of Federal Aviation Administration grants deemed necessary to safely operate the airport. However, it specifies that nothing that extends or results in extending a runway is considered to be for safety maintenance purposes.

EFFECTIVE DATE: July 1, 2022

§§ 427 & 428 — XL CENTER RETAIL SPORTS WAGERING PROCEEDS

Provides the Capital Region Development Authority with the proceeds from retail sports wagering at the XL Center to operate the facility; requires the Connecticut Lottery Corporation president to monthly estimate and certify this amount

OLR PUBLIC ACT SUMMARY

The act provides CRDA with the retail sports wagering proceeds at the XL Center in Hartford for purposes of the facility's operation. These proceeds are those that exceed the funding of approved Connecticut Lottery Corporation (CLC) reserves and paying (1) prizes and winnings and their applicable federal excise taxes and (2) current operating expenses.

The act requires the OPM secretary, on the state's behalf, to enter into an agreement with CRDA on the proceeds of operating retail sports wagering at the XL Center. Regardless of any funds that may be appropriated to CRDA for operating the facility, the agreement must require the state to distribute to CRDA a sum equal to the proceeds amount CLC monthly certifies on the XL Center's retail sports wagering proceeds (see below). OPM must distribute this amount to CRDA quarterly and in a way the agreement specifies.

Under the act, the CLC president must monthly estimate and certify to the OPM secretary how much CLC transferred to the General Fund from retail sports wagering proceeds at the XL Center.

EFFECTIVE DATE: Upon passage

§ 429 — SALES AND USE TAX REFUNDS FOR BEER AND WINE MANUFACTURERS

Extends certain manufacturing-related sales and use tax exemptions to holders of manufacturer permits for a farm winery and wine, cider, and mead; allows these same permittees and manufacturer permittees for beer to receive a sales and use tax refund on these manufacturing-related purchases made from July 1, 2018, through July 1, 2023

By law, beginning July 1, 2023, manufacturer permittees for beer (i.e., beer manufacturers) are eligible for specified manufacturing-related sales and use tax exemptions even though they do not otherwise qualify because they manufacture or will manufacture beer at a facility that also makes substantial retail sales. The act extends these same exemptions to manufacturer permittees for (1) a farm winery and (2) wine, cider, and mead.

It additionally makes these three types of permittees eligible for a refund of any sales and use taxes they paid on these manufacturing-related purchases for the five preceding income or tax years. To qualify for this refund, the manufacturers must be in good standing with the Department of Consumer Protection on July 1, 2023.

The act's provisions apply to the following sales and use tax exemptions:

1. gas and electricity for direct use in a manufacturing plant, so long as it is a metered building where at least 75% of the gas or electricity consumed is used for manufacturing purposes (CGS § 12-412(3)(A));
2. materials, tools, and fuel to become part of items sold or used directly in an industrial plant to make finished products for sale (CGS § 12-412(18));
3. materials, tools, fuels, machinery, and equipment used in manufacturing that are not otherwise eligible for an exemption (50% of the gross receipts from such items) (CGS § 12-412i); and
4. machinery used directly in a beer, wine, brandy, cider, or mead manufacturing process (CGS § 12-412(34)).

Under the act, taxpayers may file a refund claim with DRS by July 1, 2026. In

doing so, they must provide documentation that substantiates the tax amount for which they are seeking a refund. As under existing sales and use tax refund law, these claims must be (1) made in writing and state the specific grounds upon which they are founded and (2) verified by the DRS commissioner and disallowed if he determines that they are not valid. Any refunded amount is without interest. As under existing law, taxpayers with disallowed refund claims may file a written protest with the commissioner, subject to the existing procedures for doing so.

EFFECTIVE DATE: July 1, 2023

§ 430 — SALES AND USE TAX EXEMPTION FOR WATER COMPANIES

Exempts certain water company purchases from sales and use tax

The act exempts from sales and use tax the goods and services water companies purchase to maintain, operate, manage, or control a pond, lake, reservoir, stream, well, or distributing plant or system that supplies water to at least 50 customers. Under the act, “water companies” are those regulated by the Public Utilities Regulatory Authority (i.e., private, investor-owned water companies).

EFFECTIVE DATE: July 1, 2022, and applicable to sales occurring on or after that date.

§ 431 — GAS TAX HOLIDAY

Extends through November 30, 2022, the suspension of the 25-cent-per-gallon motor vehicle fuels tax on gasoline and gasohol

The act extends through November 30, 2022, the suspension of the 25-cent-per-gallon motor vehicle fuels tax on gasoline and gasohol which was set to expire on June 30, 2022. By law, the tax is imposed on fuel distributors and applies to motor vehicle fuel used or sold in Connecticut. As with the prior suspension, the act’s provisions do not affect the tax due on propane, natural gas, or diesel.

Under existing law, (1) retail fuel dealers must reduce the per-gallon price of the gasoline and gasohol they sell by 25 cents and (2) violations of this requirement are an unfair or deceptive trade practice under the Connecticut Unfair Trade Practices Act (CUTPA).

Retailers may use the following as affirmative defenses against alleged violations of the act’s price reduction requirement: (1) an increase in the wholesale price of fuel that occurs after the tax reduction, (2) an increase in any other tax imposed on the fuel that occurs after the tax reduction, or (3) any other bona fide business cost increase the retailer incurs and relied upon in making the decision to not reduce the price (CGS § 14-332a(c)(4)).

EFFECTIVE DATE: Upon passage

§ 432 — MOTOR VEHICLE FUELS TAX REFUND FOR EMERGENCY MEDICAL SERVICE ORGANIZATIONS

OLR PUBLIC ACT SUMMARY

Allows EMS organizations to get a motor vehicle fuels tax refund for fuel used in ambulances the organization owns

The act allows EMS organizations to apply for a motor vehicle fuels tax refund for fuel used in ambulances the organization owns. An EMS organization is a corporation or other public, private, or voluntary organization that (1) is licensed by the Department of Public Health's Office of Emergency Medical Services and (2) offers ambulance transportation or treatment to patients primarily under emergency circumstances or a mobile integrated health care program.

Existing law already allows hospitals and nonprofit civic organizations to get refunds for fuel used in ambulances they own.

EFFECTIVE DATE: July 1, 2022

§§ 433 & 434 — MUNICIPAL GAS COMPANY GROSS EARNINGS TAX EXEMPTION

Beginning July 1, 2022, exempts municipal gas utilities from the utility companies tax

Beginning July 1, 2022, the act exempts municipal gas utilities from the utility companies tax. Under prior law, municipal gas utilities paid a 4% tax on gross receipts from their residential customers and 5% on those from nonresidential customers. The act also makes related technical and conforming changes.

EFFECTIVE DATE: July 1, 2022; changes to the utility companies tax rate provisions are applicable to tax quarters beginning on or after July 1, 2022.

§ 435 — ADMISSIONS TAX ON MOVIES ELIMINATED

Eliminates the 6% admissions tax on movie tickets beginning in 2023

Starting January 1, 2023, the act eliminates the 6% admissions tax on movie tickets. Under prior law, this tax applied to tickets costing more than \$5.

EFFECTIVE DATE: July 1, 2022

§§ 436 & 515 — AMBULATORY SURGICAL CENTER TAX REPEAL

Eliminates the ASC tax beginning July 1, 2022

Beginning July 1, 2022, the act (1) sunsets the ambulatory surgical center (ASC) gross receipts tax one year earlier than under prior law and (2) eliminates the ASC net revenue tax previously scheduled to take effect on July 1, 2023.

Under prior law, until July 1, 2023, the ASC gross receipts tax was 6% of each ASC's gross receipts for each quarter, excluding (1) the first \$1 million in the applicable fiscal year, excluding Medicaid and Medicare payments; (2) net revenue of a hospital subject to the hospital provider tax; and (3) any Medicaid and Medicare payments the ASC receives. Beginning July 1, 2023, prior law replaced the gross receipts tax with a 3% net revenue tax on specified ASC services, excluding (1) Medicaid and Medicare payments on these services and (2) any net

revenue of a hospital subject to the hospital provider tax.

EFFECTIVE DATE: Upon passage for the sunset of the gross receipts tax; July 1, 2022, for the repeal of the net revenue tax.

§ 437 — SPONSORED CAPTIVE AND ASSOCIATION CAPTIVE INSURER DEFINITIONS

Changes definitions as they relate to statutes governing captive insurers to, among other things, incorporate sponsored captives

Generally, existing law prohibits certain captive insurers from insuring risks other than those of their parent company, affiliated companies, or controlled unaffiliated businesses. The act expands the definition of “controlled unaffiliated business” to include any person who (1) for a sponsored captive insurance company, is not in the participant’s corporate system, or that of its affiliated business; (2) for a sponsored captive insurance company, has a contractual relationship with the participant or its affiliated businesses; and (3) has their risks managed by the sponsored captive. It makes corresponding changes, including specifying that a “participant” includes a controlled unaffiliated business insured by a sponsored captive insurer.

The act also removes a requirement that an “association” (for purposes of being insured by an association captive) be in continuous existence for at least one year.

EFFECTIVE DATE: July 1, 2022

§§ 437 & 439-444 — FOREIGN BRANCH CAPTIVES

Allows foreign captive insurers to open a branch in Connecticut and generally subjects them to requirements applicable to alien captives

The act allows a foreign captive to open a Connecticut branch as existing law allows for alien captives. It does so by adding “foreign captive insurance company” (i.e., is an insurer licensed in a state other than Connecticut with statutory or regulatory standards that the insurance commissioner deems acceptable) to the definition of “branch captive insurance company.” Branch captives are licensed to transact business in Connecticut through a business unit with a principal place of business in the state (CGS § 38a-91ff). By law, an alien captive is licensed in another country; a foreign captive is licensed in another state.

The act generally requires foreign captives to meet the same requirements as licensed alien captives. Among other things, this includes subjecting them to the applicable premium tax, examination, minimum capital and surplus, incorporation, and reporting requirements, with minor changes described below.

The act also makes technical changes.

EFFECTIVE DATE: July 1, 2022

Examinations (§§ 439 & 443)

The act prohibits the insurance commissioner from licensing a foreign branch

captive insurer unless it allows him to examine the foreign captive in the jurisdiction where it was formed, operates, or maintains books and records.

The act makes a similar change for existing alien branch captives, prohibiting licensure unless the commissioner can examine the captive in the jurisdiction where it was formed, operates, or maintains books and records. Prior law limited this prohibition unless the commissioner could examine the captive where it was formed.

The act requires branch captives to undergo a financial condition review by the commissioner or his designee at least every five, rather than three, years and additionally when determined to be prudent as under prior law. The examination is limited to branch business and operations so long as it (1) annually gives the commissioner a certificate of compliance or similar document issued by, or filed with, its domiciliary jurisdiction and (2) shows that it is operating in sound financial condition according to the laws and regulations of its domiciliary jurisdiction. The act also allows him to waive the requirement for pure captives and their branches (see below).

Minimum Capital and Surplus Requirements for Branch Captives (§ 440)

As a condition of licensure, prior law required branch captives to maintain paid-in capital and surplus of at least \$250,000 as security for its liabilities. The act potentially reduces the required capital and surplus amount to the greater of \$50,000 or another amount the commissioner determines necessary to secure the liabilities attributed to the captive's operations. As with existing law, branch captives must have reserves on their insurance or reinsurance policies that they issue or assume through their branch operations. The reserves must include reserves for losses, allocated loss adjustment expenses, incurred but not reported losses, and unearned premiums.

Under prior law, the commissioner could allow a credit against the reserves for certain assets posted with a ceding insurer or posted by a reinsurer. The act instead allows a credit for assets belonging to (1) the branch captive that are held in a trust for, or segregated or controlled by, a ceding insurer to secure the captive's reinsurance obligations to the ceding insurer or (2) a reinsurer that are held in trust for, or otherwise controlled by, the branch captive and secure the reinsurer for its obligations to the captive.

Branch captives' capital and reserves must be held according to law, which generally requires a trust or irrevocable letter of credit.

The act allows the commissioner to exempt a foreign branch captive from the capital and reserve requirements if he determines that the branch captive is financially stable.

Annual Reporting (§ 442)

Prior law required an alien branch captive insurer, annually by March 1, to submit to the insurance commissioner a copy of the reports and statements that must be submitted in the alien captive insurer's domiciliary jurisdiction. The act instead

requires all branch captives (alien and foreign) to file the copies and statements with the commissioner on the same day they must be filed in the domiciliary jurisdiction.

As with existing requirements for alien branch captives, the act allows the commissioner to waive additional annual reporting if he finds that the foreign captive's submitted material gives adequate information on its financial condition. If he does not, or if the branch captive is not required to file in its domiciliary jurisdiction, the act requires the alien or foreign branch captive to submit additional reports, at a time and in a form and manner the commissioner prescribes, containing adequate information about its financial condition.

§ 438 — TAX AMNESTY PROGRAM

Creates a tax amnesty program for insureds that open a branch captive in, or transfer an alien or foreign captive to, Connecticut by June 30, 2023

By law, insureds that independently procure insurance (i.e., buy it directly from a non-admitted insurer without a broker) must pay a 4% tax on the gross premiums. An insured who fails to pay the tax is subject to penalties and interest (CGS § 38a-277).

The act establishes a limited tax amnesty program for insureds liable for the tax. Under the program, qualified insureds are not liable for (1) the tax, interest, or penalties for tax periods before July 1, 2019, and (2) applicable tax penalties for tax periods between July 1, 2019, and July 1, 2022.

To qualify, an insured, by June 30, 2023, must (1) establish a branch captive in, or transfer the domicile of its alien or foreign captive to, Connecticut and (2) pay all independently procured insurance premium taxes and interest due for the tax periods between July 1, 2019, and July 1, 2022.

EFFECTIVE DATE: July 1, 2022

§§ 440, 443 & 445-448 — CAPTIVE INSURER CAPITAL, EXAMINATION, REINSURANCE, AND DORMANCY REQUIREMENTS

Makes several changes to the captive insurer licensing statutes, including by potentially reducing minimum capital and surplus requirements.

Minimum Capital and Surplus Requirements for Certain Captives (§ 440)

The act generally reduces the minimum capital and surplus requirements for certain other captives as it similarly does for branch captives (described above), as shown in the table below.

**Minimum Capital and Surplus Requirements for Certain Captives
Under Prior Law and the Act**

Captive Type	Prior Law	The Act
Pure captive	\$250,000	The greater of \$50,000 or an amount the commissioner determines is necessary for the

OLR PUBLIC ACT SUMMARY

<i>Captive Type</i>	<i>Prior Law</i>	<i>The Act</i>
		captive to meet its obligations
Association, industrial, or agency captive	\$500,000	The greater of \$250,000 or an amount the commissioner determines is necessary for the captive to meet its obligations
Sponsored captive	\$225,000	The greater of \$75,000 or an amount the commissioner determines is necessary for the captive to meet its obligations
Special purpose captive	\$250,000	The greater of \$250,000 or an amount the commissioner determines is necessary for the captive to meet its obligations
Sponsored captive licensed as a special purpose captive	\$500,000	The greater of \$250,000 or an amount the commissioner determines is necessary for the captive to meet its obligations

Examination and Reinsurance (§§ 443 & 445)

Additionally, the act requires the commissioner to inspect and examine captive insurers once every five years, instead of once every three years (or once every five years, if the insurer conducts annual audits) and allows him to waive the requirement for pure captives and their branches. It also allows captive insurers to assume all types of reinsurance from other insurers, instead of assuming reinsurance only on risks the company is authorized to write directly as under prior law.

Regulations (§ 446)

Existing law allows the commissioner to adopt regulations pertaining to the captive insurance statutes, as well as to set standards for a parent or affiliated company to manage risk of controlled unaffiliated businesses that are insured by pure captive insurers. The act (1) expands his general authority to adopt regulations related to all related captive statutes and (2) specifies that his regulatory authority over risk management standards includes controlled unaffiliated businesses insured by pure, industrial, or sponsored captives. It makes a corresponding change allowing him to approve coverage of these risks by industrial and sponsored captives until regulations are approved.

Dormancy (§ 448)

By law, pure, sponsored, and industrial captive insurers that have stopped conducting business and have no more liabilities can apply to the commissioner for a certificate of dormancy. The act (1) extends, from two to five years, the length of time before a certificate of dormancy must be renewed and (2) lowers the minimum capital and surplus that a dormant captive must maintain from \$25,000 to \$15,000. It also exempts a captive that was never capitalized from adding capital upon becoming dormant.

The act also makes technical changes.
EFFECTIVE DATE: July 1, 2022

§§ 449-456 & 514 — STATE RECOVERY OF PUBLIC ASSISTANCE BENEFITS

Prohibits the state from recovering properly paid cash or medical assistance unless required to do so under federal law; releases liens and claims filed before July 1, 2022, to recover assistance when recoveries are not required under federal law or associated with child support collection

The act prohibits the state from recovering properly paid cash or medical assistance unless required to do so under federal law. It also requires the state to release any lien on real property or any claim filed before July 1, 2022, to recover public assistance that is not required under federal law or associated with child support collection. Relatedly, it eliminates provisions releasing liens under narrower circumstances.

Prior law generally limited the state's claim to recover cash and medical assistance to amounts required to be recovered under federal law for recipients of aid under (1) cash assistance programs (i.e., State Supplement Program (SSP), Aid to Families with Dependent Children (AFDC), Temporary Family Assistance (TFA, which replaced AFDC) provided to anyone over age 18, or State Administered General Assistance (SAGA)) or (2) Medicaid. This includes recoveries from windfalls such as lottery winnings, proceeds from a lawsuit, and inheritances. But, under prior law, when children received or had received cash assistance benefits under AFDC, TFA, or SAGA, their parents were generally liable to the state for the full amount of aid paid to or on behalf of either parent, their spouses, and dependent children. The act eliminates these provisions. It also eliminates provisions that cap the state's claim when parents receive a windfall from a lawsuit or inheritance at (1) 50% of the lawsuit proceeds or inheritance received by the parent or (2) the amount the parent owes, whichever is less.

The act also makes minor, technical, and conforming changes.
EFFECTIVE DATE: July 1, 2022

Estates and Annuities

Prior law gave the state a claim to the estate of someone who died and (1) received benefits under SSP, medical assistance (including Medicaid but excluding HUSKY D), AFDC, TFA, or SAGA or (2) had a child who received benefits under AFDC, TFA, or SAGA. The act instead only allows the state to recover assistance from an estate when a Medicaid beneficiary dies and only to the extent that (1) the state has not been reimbursed and is required to recover the funds under federal law and (2) the beneficiary's surviving spouse, parent, or dependent children do not need the funds for support.

Similarly, under prior law, funds due under an annuity purchased by a public assistance beneficiary were deemed part of the beneficiary's estate and subject to recovery. The act limits annuity recovery to Medicaid beneficiaries and only to the extent that federal law requires recovery.

Child Support Recoveries

The act specifies that its provisions do not preclude the state, in a IV-D support case, from retaining child support collected from a parent subject to a support order from the Superior Court or a family support magistrate, unless doing so conflicts with federal law. Under both prior law and the act, the state has a lien against any property, estate, or claim of any kind for a parent of an AFDC or TFA beneficiary for child support and arrearages owed under these support orders; the law and act also exempt certain property from the lien (e.g., a home, household goods, and other personal property). The act also makes a technical change to remove the state's claim to recover child support from parents of SAGA beneficiaries. Generally, IV-D support cases are cases in which DSS's Office of Child Support Services provides child support enforcement services for Medicaid and TFA beneficiaries, among others (CGS § 46b-231(b)(13)).

The also act eliminates provisions that cap the state's claim when parents receive a windfall from a lawsuit or inheritance at (1) 50% of the lawsuit proceeds or inheritance received by the parent or (2) the amount the parent owes, whichever is less.

Under prior law, when funds were collected for public assistance or child support recoveries, and the person who would have otherwise been entitled to the funds was subject to a child support order, the funds were paid in the following order:

1. first, to the state to reimburse Medicaid funds granted to the person for medical expenses incurred for injuries related to a legal claim that was subject to the state's lien;
2. then to DSS's Office of Child Support Services to be distributed as child support; and
3. any remaining funds were paid to the state for payment of previously provided cash assistance or medical assistance.

The act generally retains this payment order but applies it to payments collected from legally liable third parties (e.g., health insurers). Funds are paid first to reimburse the state for Medicaid funds for treating injuries related to legal claims that are subject to the state's right of subrogation. This right generally allows the state to collect funds from insurers that are obliged to pay before Medicaid pays. Similar to prior law, remaining funds are paid to DSS's Office of Child Support Services to be distributed as child support. Under the act, any additional state claim to the remainder of these funds, if any, must be paid in accordance with state law.

The act also eliminates a requirement that DSS adopt regulations to establish criteria and procedures to adjust the state's claim for public assistance or child support to encourage noncustodial parents to be positively involved in their children's lives and begin making regular support payments.

Recoveries Under Other Circumstances

The act separates other recovery requirements from provisions affecting public assistance recoveries.

OLR PUBLIC ACT SUMMARY

By law, a person who has received or is receiving care in a state humane institution is liable, along with his or her estate, to reimburse the state for any unpaid portion of the per capita cost of care. By law, similarly, a parent of a minor child who receives care or support under state laws related to juvenile matters (e.g., neglected or delinquent children) is liable to reimburse the state for the cost of this care or support. The act eliminates provisions under which liability in these cases is to the same extent, and under the same terms and conditions, as liability for parents of public assistance recipients.

§§ 457 & 458 — COST OF INCARCERATION

Regarding the state's claim for incarceration costs, (1) exempts up to \$50,000 of an inmate's other assets, except those of inmates incarcerated for certain serious crimes, and (2) makes the state's lien against lawsuit proceeds applicable only to inmates incarcerated for certain serious crimes

Exempt Property

The law requires the DOC commissioner to assess inmates for the costs of their incarceration and gives the state a claim against any property owned by an inmate, subject to certain exemptions. The act additionally exempts up to \$50,000 of other assets, except for inmates incarcerated for capital felony or murder with special circumstances, felony murder, 1st or 2nd degree sexual assault, 1st degree aggravated sexual assault, or aggravated sexual assault of a minor.

Existing law also exempts:

1. property that is statutorily exempt from execution to satisfy court judgments and exempt property of a farm partnership;
2. money from reenacting the inmate's violent crime in various media (such as movies and books) or from expressing the person's thoughts or feelings about the crime, which, by law, must be paid to the Office of Victim Services;
3. property acquired for working during incarceration as part of certain job training, skill development, career opportunity, or enhancement programs; and
4. property the inmate acquired after he or she was released from incarceration.

Lawsuit Proceeds

By law, if someone who owes the state money for the cost of his or her incarceration wins a judgment in a lawsuit that he or she brought within 20 years after release, then the state's claim is a lien against these proceeds. The maximum amount of the claim is the full cost of the inmate's incarceration or 50% of the proceeds, minus certain expenses (e.g., attorney's fees), whichever is less.

The act limits this to lawsuit proceeds for inmates incarcerated for capital felony or murder with special circumstances, felony murder, 1st or 2nd degree sexual assault, 1st degree aggravated sexual assault, or aggravated sexual assault of a

minor.

EFFECTIVE DATE: Upon passage, and applicable to costs of incarceration incurred, before, on or after that date.

§ 459 — OEC START EARLY – EARLY CHILD DEVELOPMENT INITIATIVE

Requires OEC to establish and administer the Start Early - Early Child Development Initiative; allows OEC to use funds the state received through the American Rescue Plan Act to administer it

The act requires OEC to establish and administer the Start Early - Early Child Development Initiative. The office must develop funding priorities for the initiative for early education and support services through a grant program for research and early education service providers to support the growth and enhancement of a system of high-quality early childhood care and education and support services.

Under the act, OEC may test more than one type of intervention or program for young children and families, and it must track differences in child progress by program type. Funding under the initiative may include targeted formula grants to providers in high-need areas throughout the state to serve a cohort of children from infancy through kindergarten entrance. The funding may also include existing providers serving a cohort of children in the target community who agree to implement research-based professional development or curricular interventions that begin in the infant and toddler years.

Standards

OEC must establish standards for the initiative that include eligibility, participant, and data reporting requirements; program outcome metrics; evaluative methods; and a formula for distributing grant funds for at least a five-year period. The standards may include guidelines for staff-child interactions; lesson plans; parental engagement; staff qualifications and training; and curriculum content, including physical, social, emotional, quantitative, executive function, and preliteracy development.

Contracts With Higher Education Institutions

Under the act, the OEC commissioner, or an OEC-contractor under the initiative, must enter into contracts with a higher education institution, a child care center, a group or family child care home, or staffed family child care networks. These contracts are for the purpose of creating new, or supporting existing, infant and toddler spaces and preschool spaces within the standards OEC establishes (see above). In entering such a contract, the commissioner must give priority to child care centers, group child care homes, and family child care homes that meet the following criteria:

1. are located in towns with the lowest median household income or the greatest deficit of early care availability,
2. create new infant and toddler spaces,
3. are accredited, and

4. licensed to individuals reflecting the demographics of the community where the center or home is located.

Contracts entered into under the initiative may require the child care provider to give access to family support services to receive the grants. These family support services must include parenting support; home visiting; early intervention services; information about child development; and assistance to help parents complete their education, learn English, enroll in a job training program, or find employment.

Funding

The act authorizes OEC to use federal funds the state received through the federal American Rescue Plan Act for the initiative's administrative expenses, including (1) entering into an agreement with a third party to manage the program; (2) designing, collecting, and analyzing required data on outcome measures as OEC prescribes; and (3) developing data collection and evaluation tools for continuous program evaluation.

Reporting

The act requires OEC to develop an annual report on the initiative's data and outcome measures. The report must include achievement on the elements in the Connecticut Early Learning and Development Standards as reported in the accompanying assessment tool. OEC may also develop modification recommendations for the early education system based on an evaluation of the initiative's data and outcomes.

Starting by January 1, 2023, OEC must annually submit the report and any related recommendations to the Education Committee.

EFFECTIVE DATE: July 1, 2022

§ 460 — TAX INCIDENCE STUDY

Expands the scope of the DRS tax incidence study; moves the deadline for the next study from February 15, 2024, to December 15, 2023

By law, the DRS tax incidence study must provide the overall incidence of the income tax, sales and excise taxes, corporation business tax, and property tax. The act requires that it (1) provide this information for each of the most recent 10 tax years for which complete data are available and (2) include incidence projections for each of these taxes.

Prior law required the report to present information on the tax burden distribution for individual taxpayers by income classes, including income distribution by income deciles (i.e., every 10 percentage points). The act additionally requires it to present this information for the top 1% and 5% of all income taxpayers.

The act also moves the deadline for the next study from February 15, 2024, to December 15, 2023.

EFFECTIVE DATE: July 1, 2022

§ 461 — TOWN AID ROAD REPORTING

Requires each town or district that received TAR funds to annually report to the transportation commissioner on how the funds were used

Starting by September 1, 2022, the act requires each town or district that received Town Aid Road (TAR) funds to annually report to the transportation commissioner, in a form and manner he prescribes, detailing how the funds were used the previous fiscal year. Specifically, it must list how much TAR funding the town or district spent on each of the permitted uses of TAR funds (e.g., highway construction, reconstruction, improvement, or maintenance).

EFFECTIVE DATE: July 1, 2022

§ 462 — ADVANCED NOTICE OF ROAD PROJECTS

Requires municipalities, utility companies, and OPM to submit certain reports related to (1) advanced notice of road projects affecting utility infrastructure and (2) inspection procedures upon project completion

Town Report

By December 1, 2022, the act requires each municipality's chief executive officer to submit to the OPM secretary a letter stating whether the municipality does the following:

1. provides advanced notice to gas, water, or other utility companies of any impending road project involving paving, repaving, or grading of a street or road that includes any gas, water, or other utility infrastructure (including maintenance hole covers, sewer grates, and utility service grates) that could impede the safe operation of vehicles and
2. performs a final inspection and approval of the project.

For each affirmative response, the municipality must include a description of the process for providing advanced notice or the procedures for final inspection and approval.

Utility Company Report

By December 1, 2022, each gas, water, or other utility company whose infrastructure may be impacted by road paving, repaving, or grading must submit to OPM a description of the company's experience with advance project notice from each municipality whose project may impact that company's infrastructure.

OPM Report

By January 1, 2023, the OPM secretary must report the following to the Appropriations; Finance, Revenue and Bonding; and Transportation committees:

1. a summary of the (a) processes the municipalities describe for providing advanced notice to utility companies and (b) final inspection and approval

- processes the municipalities describe,
 - 2. a comparison of the municipalities' and utility companies' descriptions of the advanced notice process, and
 - 3. any other information the OPM secretary deems relevant.
- EFFECTIVE DATE: Upon passage

§§ 463 & 464 — 30-YEAR MUNICIPAL BONDS

(1) Makes permanent an authorization allowing municipalities to issue bonds with a term of up to 30 years and (2) extends this authorization by five years for refunding bonds

Prior law generally limited municipal bond terms to 20 years unless the general statutes or a special act expressly allowed another term. Existing law allows a term of up to 30 years for bonds issued from July 1, 2017 to July 1, 2022. The act makes this authorization permanent (§ 463).

Existing law allows municipalities to issue refunding bonds to pay off all or part of their bonds, notes, or other debt obligations. Refunding bonds generally must mature by the maturity date of the bonds, notes, or obligations that they are used to pay off (i.e., generally 20 years, but 30 years in the case of refunding bonds issued between July 1, 2017 and July 1, 2022). The act extends existing law's temporary authorization to issue 30 year refunding bonds by five years, until July 1, 2027.

Municipalities may issue refunding bonds with a maturity of up to 30 years only if their legislative bodies adopt a resolution to do so by a two-thirds vote. By law, the resolution approving the refunding bonds may include a provision securing the refunding bonds by a statutory lien on all of the municipality's tax revenues. The revenues are immediately subject to the lien without any further action or authorization by the municipality. The lien is valid and binding against the municipality; its successors, transferees, and creditors; and all other parties asserting rights to these revenues, regardless of whether they received specific notice of the lien, and without physical delivery, recording, or filing of the lien or any further action.

EFFECTIVE DATE: July 1, 2022

§ 465 — ENTERPRISE ZONE DESIGNATION REMOVAL

Prohibits the DECD commissioner from removing an enterprise zone's designation under specified conditions

Existing law authorizes the DECD commissioner to remove an enterprise zone's designation if the area no longer meets the designation criteria. The act prohibits the commissioner from doing so if the number of residents in the zone with incomes below the poverty level has not been reduced by at least 75% from the date the zone was originally approved (based on the most recent U.S. census). As under existing law, once designated an area remains an enterprise zone for at least 10 years.

Generally, to qualify as an enterprise zone under the program's statutory criteria, a proposed zone must meet specified poverty measures (e.g., at least 25%

of the zone's residents must have incomes below the poverty level or receive public assistance, or the zone's unemployment rate must be at least double the average state rate).

EFFECTIVE DATE: Upon passage

§§ 466 & 467 — COMMERCIAL DRIVER'S LICENSE TRAINING PROGRAM

Requires OWS to design and implement a program to support individuals pursuing commercial driver's license (CDL) training; establishes a nonlapsing account within OWS to support the program; establishes a Connecticut Career Accelerator Program Advisory Committee

The act requires OWS, by January 1, 2023, to use income share agreements or equivalent financial instruments to design a program supporting individuals pursuing CDL training. The act allows OWS to competitively procure a consultant to support the program's design and implementation. The program must be implemented by July 1, 2023.

EFFECTIVE DATE: Upon passage

Program Design

Under the act, program design must consider developing the following:

1. metrics for identifying qualified training providers;
2. training provider payments that are incentive-based, such as paying a trainer 80% of a student's tuition before providing any training and the remaining tuition upon the student's job placement; and
3. a method for targeting potential students for the program.

Tuition Repayment Obligation

The act requires the program to include terms and conditions for the payment obligations undertaken by individuals who obtain tuition assistance from the program's account (see below). Under the act, the program must require individuals who receive a direct tuition payment from the account to repay it if, after training, the program places them in a job where they earn an income greater than before their program participation. The act also requires the program to consider offering wrap-around supports (e.g., stipends, child care services, and counseling) and other supports identified by OWS.

The act prohibits (1) interest from being charged on any tuition repayment obligation and (2) individuals receiving wrap-around supports from having to repay the account for those supports.

Marketing Plan

Under the act, OWS must develop a marketing plan to attract individuals who fit the program's eligibility criteria and target this marketing to recruit individuals who meet the following criteria:

1. are underserved, disadvantaged, unemployed, or underemployed;

2. are dislocated workers;
3. receive temporary assistance for needy families, supplemental nutrition assistance program, or any other public assistance benefits;
4. were formerly incarcerated; or
5. are veterans of the armed services.

The act requires the marketing plan to include outreach to various state agencies, the regional workforce investment boards, transit authorities, housing authorities, the Office of Early Childhood, and other partners OWS identifies.

Reporting

The act requires OWS, by April 1, 2023, to report on the program's implementation and design to the following committees: Appropriations; Commerce; Education; Finance, Revenue and Bonding; Higher Education and Employment Advancement; and Labor and Public Employees.

Additionally, starting by July 1, 2024, OWS must submit an annual report to the committees listed above that may include the following information:

1. program completion and job placement rates;
2. funds used as payment obligations, grants, and wraparound services for program participants;
3. starting wages, wage gains, and wage growth of individuals employed after participating in the program; and
4. percentage of program participants in compliance with repayment obligations and total repayments received.

Connecticut Career Accelerator Program Account

The act correspondingly establishes a nonlapsing Connecticut Career Accelerator Program account within OWS to support CDL training in the CareerConneCT workforce training program. The account must contain any money required by law to be deposited into it, and it may accept gifts, grants, or donations from public or private sources. OWS must use the account to carry out the program's purposes.

Connecticut Career Accelerator Program Advisory Committee

The act also establishes a Connecticut Career Accelerator Program Advisory Committee to examine other innovative models that support individuals pursuing CDL training. It must make recommendations for aligning the program with other states' best practices and methods to ensure account sustainability. Under the act, these methods may include (1) requiring program graduates to deposit a percentage of their state income tax into the account and (2) incentivizing corporations, private citizens, and philanthropic organizations to contribute to the account. The committee may hold informational hearings to gather information related to the program.

The act requires the Finance, Revenue and Bonding Committee chairpersons

and ranking members to appoint the advisory committee members, and the committee's administrative staff must serve as the advisory committee's administrative staff. Under the act, committee membership may include representatives of (1) OWS; (2) the Invest in Student Advancement Alliance; (3) a technology solutions provider that prepares individuals for career training opportunities; (4) nonprofit, for profit, and labor organizations that operate commercial truck driving training programs; and (5) other workforce training programs. Additionally, other individuals with knowledge and expertise that may facilitate and enhance program operation may serve as committee members.

§ 468 — PROPERTY APPRAISAL REQUIREMENT FOR APPEALS § 12-117A

Requires certain property owners who appeal their real property's valuation to the Superior Court to file a property appraisal with the court

Existing law allows property owners to appeal their assessments to a municipality's board of assessment appeals. The appeals board must hold a hearing on each appeal, except for those on commercial, industrial, utility, or apartment properties assessed at over \$1 million, which may be appealed directly to Superior Court if the appeals board declines to hear them (CGS § 12-111). A taxpayer aggrieved by an appeals board's decision can also appeal to Superior Court (CGS § 12-117a).

The act requires applicants in certain of these appeals, if they concern the valuation of real property assessed at \$1 million or more, to file a property appraisal with the court (it incorrectly references the appeals made under CGS § 12-117a). Under the act, applicants must file the appraisal within 90 days after filing the appeal (PA 22-146, § 19, changes the deadline to within 120 days after filing the appeal). This requirement applies for any appeal application made on or after July 1, 2022.

The appraisal must be completed by an individual or company licensed to perform real estate appraisals in Connecticut. The act authorizes the court to (1) extend the filing deadline for good cause and (2) dismiss the appeal if the appraisal is not timely filed.

EFFECTIVE DATE: July 1, 2022

§§ 469 & 470 — CRDA'S SOLICITATION OF PRIVATE INVESTMENTS

Authorizes CRDA to solicit private investment funds from companies for projects it undertakes; establishes conditions under which businesses may make these investments if one of their officers, directors, shareholders, or employees is a CRDA board member

The act authorizes CRDA to solicit private investment funds from businesses to finance any capital city project (see *Background*) or other project CRDA undertakes. It requires that the private investments be made on equivalent or substantially similar terms and conditions as the investments CRDA makes for the project, as set by CRDA's board of directors, but allows CRDA to give these private investments repayment priority.

OLR PUBLIC ACT SUMMARY

The act allows businesses to make these private investments even if an employee, officer, director, or shareholder of the business is a CRDA board member, so long as the member recuses himself or herself from any board deliberation, action, or vote on a project that is specific to the business.

Background — Capital City Projects

By law, “capital city projects” include the following, among others:

1. construction or rehabilitation of up to 3,000 downtown housing units,
2. development and redevelopment of buildings in Hartford,
3. development of riverfront infrastructure and improvements in Hartford and East Hartford,
4. demolition or redevelopment of vacant buildings in Hartford and East Hartford, and
5. addition of downtown parking.

§ 471 — REDUCED FY 23 TRANSFER OF AMERICAN RESCUE PLAN ACT FUNDS

Eliminates the FY 22 transfer to the General Fund from designated ARPA funds and reduces the FY 23 transfer from \$1,194.9 million to \$314.9 million

PA 21-2, § 453, JSS, requires the comptroller to transfer to the General Fund from ARPA’s Coronavirus State Fiscal Recovery Fund \$559.9 million for FY 22 and \$1,194.9 million for FY 23. The act eliminates the FY 22 transfer and reduces the FY 23 transfer to \$314.9 million.

EFFECTIVE DATE: Upon passage

§ 472 — ARPA HOME AND COMMUNITY-BASED SERVICES FUNDS

Requires the state comptroller to reserve \$83.2 million of General Fund revenue received under ARPA for home and community-based services in FY 22 to be used for federal revenue collections in FY 23

The act requires the state comptroller to reserve, for federal revenue collections in FY 23, \$83.2 million of General Fund revenue received under ARPA for home and community-based services in FY 22.

EFFECTIVE DATE: Upon passage

§ 473 — REVENUE TRANSFER FROM FY 22 TO FY 23

Requires the comptroller to transfer \$125 million of FY 22 General Fund resources for use in FY 23

By June 30, 2022, the act requires the comptroller to transfer \$125 million of FY 22 General Fund resources to be accounted for as FY 23 General Fund revenue.

EFFECTIVE DATE: Upon passage

OLR PUBLIC ACT SUMMARY

§§ 474-481 — REVENUE ESTIMATES

Modifies previously adopted revenue estimates for FY 23

The act modifies revenue estimates for FY 23 that were previously adopted in 2021 as part of the FY 22-23 biennial state budget, as shown in the following table.

Modified FY 23 Revenue Estimates

<i>Fund</i>	<i>Prior Law</i>	<i>Act</i>
General Fund	\$21,809,775,000	\$22,388,200,000
Special Transportation Fund	2,029,300,000	2,091,900,000
Mashantucket Pequot and Mohegan Fund	51,500,000	51,509,000
Banking Fund	29,600,000	29,800,000
Insurance Fund	122,500,000	123,200,000
Consumer Counsel and Public Utility Control Fund	31,000,000	32,800,000
Workers' Compensation Fund	27,050,000	27,300,000
Tourism Fund	13,400,000	13,450,000

EFFECTIVE DATE: July 1, 2022

§ 482 — DOH RENT BANK GRANT ASSISTANCE

Increases the maximum amount of grant assistance families may receive under DOH's Rent Bank Program and eliminates a related eligibility requirement

The act increases, from \$1,200 to \$3,500, the maximum amount of DOH Rent Bank Program grant assistance an eligible family may receive during a consecutive 18-month period. By law, to qualify for the Rent Bank Program families must (1) be at risk of homelessness, eviction, or foreclosure and (2) have an income that is 60% of the state median or less (including those receiving temporary family assistance from the state).

As under prior law, to receive Rent Bank assistance qualifying families must document income loss or increased expenses, which may include loss of employment or benefits; medical disabilities or emergencies; disasters; changes in household composition; or other DOH-determined, non-recurring, severe hardships. But the act eliminates an additional eligibility requirement under prior law that qualifying families must participate in the department's assessment and mediation program. (However, existing law on the assessment and mediation program, unchanged by the act, requires families to be referred to this program before being eligible for Rent Bank grants (CGS § 8-347a(c)).

EFFECTIVE DATE: July 1, 2022

§ 483 — SALES TAX REMITTANCE FOR CERTAIN MARKETPLACE FACILITATORS

OLR PUBLIC ACT SUMMARY

Exempts marketplace facilitators that facilitate passenger motor vehicle and truck rentals on behalf of rental companies from sales tax collection and remittance requirements on behalf of these sellers

By law, marketplace facilitators (e.g., online marketplaces) are considered retailers for the sales they facilitate for third-party sellers and generally must collect and remit sales tax on behalf of these sellers. The act exempts marketplace facilitators that facilitate passenger motor vehicle and truck rentals on behalf of rental companies from these requirements. In doing so, it makes the rental companies responsible for collecting and remitting sales tax on these sales.

Under the act and existing law, “rental companies” are generally businesses that rent out a fleet of five or more passenger motor vehicles, rental trucks, or machinery, but not those whose rental income is less than 51% of their total annual revenue. “Passenger motor vehicles” are those rented without a driver that are part of a rental car company’s fleet. “Rental trucks” are (1) vehicles rented without a driver with a gross vehicle weight of 26,000 pounds or less and used to transport personal property (but not for business purposes) or (2) trailers with a gross vehicle weight of 6,000 pounds or less.

EFFECTIVE DATE: July 1, 2023

§§ 484-488 — PROTECTIONS FOR REPRODUCTIVE AND GENDER-AFFIRMING HEALTH CARE SERVICES IN THE STATE

Establishes a cause of action for persons against whom there is an out-of-state judgment based on reproductive and gender-affirming health care services; limits the assistance officers of Connecticut courts, public agencies, and certain health care providers may deliver in actions related to reproductive or gender-affirming health care services that are legal in this state

The act establishes a cause of action for persons against whom there is an out-of-state judgment based on reproductive and gender-affirming health care services. It also limits the assistance officers of Connecticut courts, public agencies, and specified health care providers may deliver in certain actions related to reproductive or gender-affirming health care services that are legal in this state. With exceptions, the act generally prohibits the following with respect to these actions:

1. court officers from issuing a summons for another state’s criminal case or subpoena for an out-of-state civil action or proceeding;
2. public agencies, or individuals acting on their behalf, from providing information or expending resources to support an interstate investigation seeking to impose criminal or civil liability; and
3. certain health care providers, payors, or information processors from disclosing protected information without written consent from a patient or an authorized legal representative.

Under the act, “reproductive health care services” include all medical, surgical, counseling, or referral services related to the human reproductive system, such as pregnancy, contraception, or pregnancy termination. “Gender-affirming health care services” are all medical care related to the treatment of gender dysphoria.

EFFECTIVE DATE: July 1, 2022

Recouperation of Out-of-State Judgments Related to Reproductive or Gender-Affirming Health Care Services (§ 484)

Cause of Action. The act creates a cause of action for persons against whom a judgment was entered in another state based on their allegedly providing or receiving, or helping another person to provide or receive, or providing material support for reproductive or gender-affirming health care services that are legal in Connecticut. For this purpose, a “person” is an individual, partnership, association, limited liability company, or corporation.

The act applies to judgments where the person’s liability in the original action was entirely or partially based on these alleged actions or any theory of vicarious, joint, several, or conspiracy liability arising from them. It allows the person to recover damages from any party that (1) brought the original action that resulted in the judgment or (2) tried to enforce it.

Under the act, this cause of action is unavailable if no part of the acts that formed the basis for liability occurred in Connecticut. It is also unavailable when the judgment entered in the other state is based on a claim similar to one that exists under Connecticut law and is a:

1. tort-, contract-, or statutory-based claim brought by a patient, or their authorized legal representative, who received the reproductive or gender-affirming health care services, for damages the patient suffered or from another individual’s loss of consortium with the patient; or
2. contract-based claim brought or enforced by someone with a contractual relationship with the person who is subject to the judgment.

Recoverable Damages. Under the act, the court must award a person who successfully brings an action:

1. just damages resulting from the original action (e.g., the amount of the judgment entered in the other state and costs, expenses, and reasonable attorney’s fees spent defending the action) and
2. costs, expenses, and reasonable attorney’s fees spent bringing the action under the act, as the court allows.

Limits on Compelling Witness Participation in Certain Out-of-State Actions (§§ 486 & 487)

Depositions. By law, judges, justices of the peace, notaries public, and Superior Court commissioners (Connecticut licensed attorneys) may subpoena and compel material witnesses to appear before (i.e., be deposed by) attorneys licensed in other jurisdictions, including for lawsuits in other states (CGS § 52-155). The act, with two exceptions, prohibits them from issuing a subpoena that relates to reproductive or gender-affirming health care services that are legal in Connecticut.

Under the act’s two exceptions, these court officers may issue a subpoena if it is for an out-of-state action for which a similar claim would exist under Connecticut law and it is a:

1. tort-, contract-, or statutory-based claim brought by a patient, or their authorized legal representative, who received the reproductive or gender-

affirming health care services upon which the original lawsuit was based, for damages the patient suffered or from another individual's loss of consortium with the patient or

2. contract-based claim brought or enforced by someone with a contractual relationship with the person who is subject to the judgment.

Testimony in Criminal Cases. The law allows a Connecticut judge to issue a summons ordering a person located in this state to attend and testify in a criminal prosecution or grand jury investigation in another state, at that other state's request, if the person is a material witness and certain other requirements are met.

The act prohibits Connecticut judges from issuing a summons when the other state's prosecution or investigation is for a violation of its law on providing, receiving, or assisting with reproductive or gender-affirming health care services that are legal in Connecticut. However, it allows a judge to issue a subpoena if the acts being prosecuted or investigated would also constitute an offense in this state.

Limits on Use of Agency Resources (§ 488)

The act generally prohibits Connecticut public agencies, or people acting on their behalf (e.g., employees, appointees, officers, and officials), from providing information or using state resources to help another state's investigation or proceeding to impose civil or criminal liability on a person or entity for (1) providing, seeking, receiving, or inquiring about reproductive or gender-affirming health care services that are legal in this state or (2) assisting another person or entity to do so. Specifically, state agencies, and those acting on their behalf, may not expend or use time, money, facilities, property, equipment, personnel, or other resources for these purposes. These prohibitions do not apply to investigations or proceedings if the conduct at issue would be subject to liability under Connecticut's laws if committed here.

Under the act, a "public agency" is any (1) state or local governmental agency, department, institution, bureau, board, or commission, including any executive, administrative, or legislative office, and the administrative functions of any judicial office, including the Division of Public Defender Services or (2) entity that is the functional equivalent of these agencies.

Prohibited Patient Information Disclosures (§ 485)

The act prohibits, with exceptions, certain covered entities that provide health care, payments, or billing services from disclosing specified information in a civil action, or a preliminary proceeding before a civil action, or a probate, legislative, or administrative proceeding. "Covered entities" are health care plans or payors; health care clearinghouses; and health care providers that electronically transmit health information pursuant to Health Insurance Portability and Accountability Act regulations (45 C.F.R. § 160.103).

Without explicit written consent from the patient or patient's legal representative (e.g., conservator or guardian), the act prohibits disclosing the following about reproductive or gender-affirming health care services that are legal

under Connecticut law:

1. communications made to a covered entity or obtained by it from a patient or the patient's legal representative or
2. information from a physical examination of the patient.

It requires covered entities to inform patients or their legal representatives of the patient's right to withhold consent for these disclosures.

Exceptions. Under the act, a covered entity does not have to obtain written consent to disclose communications or information:

1. pursuant to state law or judicial branch court rules;
2. to their attorney or professional liability insurer or agent to defend against a claim, or one that is reasonably believed to occur, against the covered entity;
3. to the public health commissioner if the disclosure is for a patient's records that are related to a complaint investigation; or
4. about the abuse of a child, elderly person, incompetent person, or person with a mental or physical disability if it is known or suspected in good faith.

The act does not impede sharing medical records if state or federal laws or the judicial branch's court rules allow them to be shared, except for subpoenas to produce, copy, or inspect records relating to reproductive or gender-affirming health care services. Additionally, it does not replace existing law's disclosure requirements for communications or records, as applicable:

1. between an individual and psychologist, psychiatric mental health provider, domestic violence or sexual assault counselor, marital and family therapist, or professional counselor;
2. disclosed by a mental health facility for approved research purposes;
3. to the DMHAS commissioner by facilities or individuals under contract with DMHAS;
4. relating to a social worker's evaluation or treatment; or
5. by a physician, surgeon, or other licensed health care provider in a civil action (including a related preliminary proceeding), or a probate, legislative, or administrative proceeding.

Background — Related Act

PA 22-19, §§ 2-4 & 6, is identical to these provisions with respect to reproductive health care services; however, it does not cover gender-affirming health care services. But PA 22-118, § 195, amended PA 22-19's definition of "reproductive health care services" to include medical care relating to gender dysphoria treatments (which are included in this act's definition of "gender-affirming health care services" and covered under this act, as well (§ 484)).

§ 489 — PROVIDERS AUTHORIZED TO PERFORM ABORTIONS

Allows APRNs, nurse-midwives, and PAs to perform aspiration abortions; explicitly authorizes these providers to perform medication abortions, conforming to a 2001 attorney general opinion; makes related changes

The act allows advanced practice registered nurses (APRNs), nurse-midwives, and physician assistants (PAs) to perform aspiration abortions. The act also explicitly authorizes these providers to perform medication abortions, which conforms to existing practice resulting from a 2001 attorney general opinion. It specifies that these providers may perform either type of abortion in accordance with their respective licensing statutes (see *Background*).

The act correspondingly specifies that the decision to terminate a pregnancy before the viability of the fetus must be made solely by that patient in consultation with the patient's physician, APRN, nurse-midwife, or PA, not just the patient and physician as under prior law.

Under the act, as under existing law, physicians may perform any type of abortion. Existing law, unchanged by the act, prohibits an abortion from being performed after the viability of the fetus except when needed to preserve the pregnant patient's life or health.

The act also makes technical changes to terminology.

(These provisions are identical to PA 22-19, § 7.)

EFFECTIVE DATE: July 1, 2022

Background — Attorney General Opinion on Medical Abortions

Existing state regulations expressly allow only physicians to perform abortions (Conn. Agencies Regs., § 19-13-D54(a)). However, a 2001 Connecticut's attorney general opinion (2001-15) concluded that this restriction only applied to surgical abortions and that state statutes allowing APRNs, nurse-midwives, and PAs to prescribe drugs authorized them, under certain conditions, to dispense or administer a drug that would medically terminate a pregnancy.

Background — APRNs, Nurse-Midwives, and PAs

For each of these professions, the existing licensing statutes establish, among other things, certain required relationships with other providers.

APRNs must practice in collaboration with a physician for the first three years after becoming licensed in the state. They may practice without this collaboration if they have been licensed and practicing in collaboration with a physician for at least three years with at least 2,000 hours of practice (CGS § 20-87a).

Nurse-midwives must practice within a health care system. They must have clinical relationships with obstetricians-gynecologists that provide for consultation, collaborative management, or referral, as indicated by the patient's health status (CGS § 20-86b).

Each PA must have a clearly identified supervising physician who has final responsibility for patient care and the PA's performance. The functions a physician delegates to a PA must be implemented in accordance with a written delegation agreement between them (CGS §§ 20-12c & -12d).

§ 490 — ARPA FUNDS FOR SCHOOL-BASED HEALTH CENTERS

Specifies the allocation of ARPA funding for four school-based health centers

OLR PUBLIC ACT SUMMARY

The act specifies that its ARPA funding allocation to DPH for ICHC school-based health centers (SBHCs) (see § 10) must be distributed as grants to four SBHCs in East Hartford. The funding must be distributed as follows:

1. to the operators of the SBHCs at Synergy Alternative High School and Langford Elementary School to expand hours for the provision of primary care and behavioral health services and
2. for the establishment of new SBHCs at Woodland School and Sunset Ridge Middle School that will provide primary care and behavioral health services.

EFFECTIVE DATE: July 1, 2022

§ 491 — MINIMUM BUDGET REQUIREMENT (MBR) EXEMPTION

Exempts Stratford's school board from the MBR in FY 23

The MBR prohibits, with some exceptions, towns from budgeting less for education than they did in the previous fiscal year, plus any increase in their equalization aid grant (i.e., ECS grant). The act exempts Stratford's board of education from the MBR in FY 23.

EFFECTIVE DATE: Upon passage

§ 492 — SCHOOL CONSTRUCTION MINIMUM REIMBURSEMENT RATES FOR CERTAIN TOWNS

Creates a minimum school construction reimbursement grant rate for certain towns

The act sets minimum school construction reimbursement grant rates of (1) 60% for towns with a population of 80,000 or more and (2) 50% for the town of Cheshire. (The act does not specify a population measure.) Under the act, if a town's standard reimbursement rate exceeds the minimum, then it receives the standard rate calculated by the DAS commissioner under existing law (see below). The minimum rates apply to applications submitted from June 1, 2022, until July 1, 2047. (PA 22-146, §§ 13 & 32, repeals this section and replaces it with the same language with a technical correction.)

Under the school construction law, the administrative services commissioner ranks each town based on its property wealth (using the adjusted equalized net grand list per capita) and uses the rankings to determine the reimbursement grant percentage rate for each town. Towns with less property wealth receive a larger reimbursement percentage, and towns with greater property wealth receive a smaller one. For renovation projects towns receive percentages between 20% and 80%, and for new construction they receive between 10% and 70%.

Based on DPH population data, there are seven towns with populations of 80,000 or more shown in the table below with their reimbursement rates.

OLR PUBLIC ACT SUMMARY

Towns With Populations of 80,000 or More and Their School Construction Reimbursement Rates*

Town	Existing Law (unchanged by the act)		Minimum Rate Under the Act (applies only if regular rate is lower)
	New Construction**	Renovation**	
Bridgeport	68.57%	78.57%	60%
Danbury	53.21	63.21	60
Hartford	70.00	80.00	60
New Haven	67.50	77.50	60
Norwalk	23.21	33.21	60
Stamford	19.29	29.29	60
Waterbury	68.93	78.93	60
*2020 state DPH population numbers. **2020 DAS reimbursement rates.			

Under prior law, Cheshire's 2020 reimbursement rate is 35.72% for new construction and 45.72% for renovations. Under the act, its rate increases to 50%.
EFFECTIVE DATE: June 1, 2022

§§ 493-496 — CHILDHOOD IMMUNIZATION REGISTRY AND TRACKING SYSTEM

Replaces DPH's childhood immunization registry and tracking system ("CIRTS") with an immunization information system ("CT WiZ") that provides access to a person's own immunization records to all recipients, instead of only children under age six

The act replaces DPH's childhood immunization registry and tracking system ("CIRTS") with an immunization information system ("CT WiZ") that provides vaccine recipients of all ages, instead of only children under age six, with access to their immunization records.

The act requires, rather than allows, DPH to maintain the system. Similar to prior law, it requires the system to include information to accurately identify a vaccine recipient and assess the recipient's current immunization status.

Under the act, vaccine recipients' participation in CT WiZ is voluntary, and health care providers must provide a vaccine recipient, or the recipient's legal guardian, conservator, or parent or guardian (if a minor) (hereafter "recipient's representative"), information on how to opt out of enrolling in the system.

As under prior law, all personal information in CT WiZ is confidential and cannot be disclosed without the consent of the vaccine recipient or the recipient's representative, except as otherwise specified by law.

The act also requires CT WiZ to comply with the federal Centers for Disease Control and Prevention's Immunization Information System Functional Standards.

Under the act, healthcare providers:

OLR PUBLIC ACT SUMMARY

1. must order vaccines through CT WiZ when administering vaccines to children under the Connecticut Vaccine Program (see *Background* below);
2. must report to DPH certain information regarding the vaccine administration when they administer vaccines to residents; and
3. may use CT WiZ to access a person's current immunization status to (a) determine whether the person requires immunizations or (b) officially document the person's immunization status to meet childcare, school, or higher education immunization entry requirements.

The act also imposes various requirements on CT WiZ and authorizes DPH to take specified actions, as follows:

1. DPH must, upon request, provide a vaccine recipient, or the recipient's representative, access to any information a health care provider gives to CT WiZ on the recipient's vaccine status;
2. DPH must, in consultation with OHS, facilitate interoperability between CT WiZ and the Statewide Health Information Exchange;
3. DPH must provide local and district health directors with sufficient information on residents who live in their jurisdiction and are listed in CT WiZ in order to address under-vaccinated communities and improve health equity;
4. the DPH commissioner may use information in CT WiZ for medical or scientific research, disease control and prevention, and maintaining the state's list of reportable diseases, emergency illnesses and health conditions, and lab findings; and
5. DPH may exchange information in CT WiZ with federal agencies providing health care services and other states' immunization information systems.

The act also makes various related minor, technical, and conforming changes.

EFFECTIVE DATE: July 1, 2022

Health Care Provider Definition

Under the act, a health care provider is someone who:

1. is a physician, physician assistant, nurse midwife, advanced practice registered nurse, registered nurse, pharmacist, or an individual authorized by state or federal law to administer a vaccine and
2. has direct or supervisory responsibility for administering a vaccine or assessing a person's immunization status.

Reporting Requirements

The act requires each health care provider who administers a vaccine to a resident to report, in a way the DPH commissioner prescribes, the following information:

1. the vaccine recipient's name and date of birth;
2. the name and date of each vaccine dose administered to the recipient;
3. any other information the commissioner deems necessary; and
4. when appropriate, contraindications or exemptions to administering each

vaccine dose.

Interoperability With the Statewide Health Information Exchange

The act requires the DPH commissioner, in consultation with OHS, to adopt regulations to facilitate interoperability between the immunization information system and the Statewide Health Information Exchange. It allows the commissioner to implement necessary policies and procedures while adopting regulations, as long as she posts the policies and procedures on the eRegulations System before adopting them. The policies and procedures she implements are valid until the regulations are adopted.

Background — Connecticut Vaccine Program

The Connecticut Vaccine Program is a state and federally funded program that provides certain childhood vaccinations at no cost to health care providers. The state-funded component is funded by an assessment on certain health insurers and third-party administrators.

§§ 497-509 — MOTOR VEHICLE ASSESSMENTS

Changes motor vehicle property tax assessment laws, principally to (1) exempt certain snowmobiles, all-terrain vehicles, and utility trailers; (2) value motor vehicles based on the manufacturer's suggested retail price (MSRP) and a 20-year depreciation schedule; (3) increase the frequency with which DMV must provide motor vehicle registration information to municipalities; (4) modify the timeline for supplemental property taxes on vehicles registered after the start of the assessment year; (5) give taxpayers more time to claim a property tax credit for motor vehicles that were stolen, sold, totaled, or moved out of state; and (6) require taxpayers to include on personal property declarations motor vehicles that are included in a schedule of motor vehicle plate classes established by OPM

The act makes numerous changes in motor vehicle property tax and assessment laws. Beginning in the 2023 assessment year, the act:

1. exempts from property tax snowmobiles, all-terrain vehicles, and utility trailers used exclusively for personal purposes;
2. requires municipalities to value motor vehicles based on their MSRP and a 20-year depreciation schedule, rather than the schedule of values annually recommended by OPM;
3. increases the frequency with which the Department of Motor Vehicles (DMV) must provide motor vehicle registration information to municipalities;
4. modifies the timeline for supplemental property taxes due on motor vehicles registered after each assessment year starts and extends the supplemental tax bill requirement to vehicles registered in August and September of each assessment year;
5. extends the period during which taxpayers may claim a property tax credit for motor vehicles that were stolen, sold, totaled, or moved out of state;
6. requires taxpayers to include on personal property declarations motor

OLR PUBLIC ACT SUMMARY

vehicles that are included in a schedule of motor vehicle plate classes established by OPM; and

7. prohibits DMV from issuing a vehicle registration or renewal to anyone who owes property taxes on any taxable motor vehicle, rather than only registered vehicles.

The act also eliminates a provision requiring municipalities to issue a validation sticker showing property taxes have been paid on certain commercial motor vehicles used for construction, paving, or other similar purposes and makes other conforming and technical changes.

EFFECTIVE DATE: July 1, 2022, and applicable to assessment years beginning October 1, 2023, except the provision on motor vehicle valuations and two sections making conforming changes are effective July 1, 2022, irrespective of the assessment year.

Motor Vehicle Valuations

Schedule of Values. Prior law required the OPM secretary to annually recommend a schedule of motor vehicle values based on their average retail price. (In practice, OPM generally recommended the National Automobile Dealers Association's appraisal guides.) Municipalities had to use this schedule when determining a motor vehicle's value for property tax purposes unless the vehicle was not listed in the schedule. For unlisted vehicles (e.g., older or modified vehicles), the assessor was generally responsible for determining their values.

The act instead requires vehicles to be valued as a percentage of their MSRP, based on a 20-year depreciation schedule, as shown in the table below. Under the act, vehicles that are at least 20 years-old must be valued at no less than \$500.

Motor Vehicle Valuations Under the Act

Vehicle Age (in years)	% of MSRP	Vehicle Age (in years)	% of MSRP
Up to 1	80	9	40
2	75	10	35
3	70	11	30
4	65	12	25
5	60	13	20
6	55	14	15
7	50	15-19	10
8	45	20+	≥ \$500

Under the act, assessors must determine the value of vehicles for which the MSRP is unavailable in consultation with the Connecticut Association of Assessing Officers (CAAO).

Vehicle Types Subject to the Valuation Method. The act requires municipalities to value motor vehicles added to its grand list (see below) using the MSRP and depreciation schedule. These vehicles are those registered and classified in OPM's

plate class schedule (see below) or unregistered or unusable and located in the state.

The act also applies the valuation method to certain commercial trucks, truck tractors, and tractors and semitrailers used exclusively to transport freight for hire. Under the prior law, assessors valued these vehicles based on their purchase cost and any costs related to modifications, adjusted for depreciation.

DMV Registered Vehicle Report to Municipalities

DMV Annual Report of Motor Vehicles Taxable in the Municipality. Under prior law, the DMV commissioner annually reported to each municipal tax assessor the motor vehicles and snowmobiles that were registered in the municipality. (In practice, this list covered all of the vehicles registered in each town on October 1, the start of the assessment year.) The list included the owners' names and addresses and each vehicle's identification number.

The act moves up the date by which DMV must annually provide the report, from December 1 to November 1, and requires the report to also include the MSRP for each vehicle for which it is available. The act also removes the reporting requirement for snowmobiles, which the act exempts from the property tax.

Supplemental List of Taxable Motor Vehicles. By law, DMV must also provide tax assessors with a supplemental report that lists taxable motor vehicles registered after October 1 (i.e., those not included on the annual report). Prior law required DMV to provide this report annually by October 1 and include vehicles registered between October 2 and July 31 of the prior year.

Under the act, DMV must instead provide the supplemental list monthly, beginning by November 15. Each report must identify motor vehicles registered during the prior month and taxable in each municipality.

Under existing law and the act, the supplemental list must include all the same information provided in the annual report (e.g., each vehicle's identification number) as well as a code indicating the date each vehicle was registered.

Supplemental Motor Vehicle Tax Bills and Credits

The act generally advances the tax payment date for vehicles registered after the annual October 1 assessment date but before April 1.

By law, property taxes on motor vehicles registered as of October 1 are due the following July 1. Under prior law, property taxes for vehicles registered after the assessment date (between October 2 and July 31) were due the following January 1 in a supplemental tax bill. The taxes due for vehicles registered from November 1 through July 31 were prorated based on the vehicle's registration date. Vehicles registered from August 1 to September 30, however, were exempt from property tax for the remainder of the assessment year in which they were registered.

The act makes property taxes on motor vehicles registered between (1) October 2 and March 31 due on July 1 of same assessment year and (2) April 1 and September 30 due January 1 of the next assessment year. In doing so, the act subjects vehicles registered in August or September to tax for those months.

As under prior law, the taxes due for vehicles registered between October 1 and

October 31 of the assessment year are not prorated. Under the act, taxes due for vehicles registered from November 1 through September 30 are prorated according to the same formula that applied under prior law to vehicles registered from November 1 through July 31. As under prior law, by vote of their legislative bodies, municipalities may opt to prorate the taxes on a daily, rather than monthly basis.

Replacement Vehicles. The act similarly changes the supplemental billing schedule for replacement vehicles (i.e., vehicles that, after the start of the assessment year, replace a taxpayer's registered vehicle that is sold, stolen, or had an unexpired registration that is transferred to the replacement vehicle).

Under prior law, supplemental property taxes on replacement vehicles acquired between October 2 and July 31 were due January 1 of the next assessment year. Under the act, supplemental property taxes on replacement vehicles acquired between October 2 and March 31 are due July 1 of the same assessment year, and those on replacement vehicles acquired between April 1 and September 30 are due January 1 of the next assessment year.

The act makes a conforming change by subjecting the taxes due for replacement vehicles registered between November 1 and September 30 to proration, rather than just those registered between November 1 and July 31.

Temporarily Registered Commercial Vehicles. Under existing law, property taxes on temporarily registered commercial motor vehicles that were not permanently registered or added to any town's grand list are due on January 1 during the next assessment year. The act makes these property taxes due according to the same timeframes described above for replacement vehicles (i.e., July 1 of the same assessment year for vehicles registered between October and March 31, and January 1 of the next assessment year for vehicles registered between April 1 and September 30). As under prior law, the taxes due for these vehicles are not prorated.

Property Tax Credit for Stolen, Sold, Removed, or Totaled Vehicles. The act extends the period during which taxpayers may claim a pro rata credit against their property taxes for motor vehicles that were sold, totaled, stolen, or removed from this state and registered in another state to which the taxpayer moved.

Under prior law, the taxpayer must have claimed the credit by the December 31 following the first full assessment year after the assessment year in which the event occurred (e.g., if a theft occurred November 1, 2022, the taxpayer must have claimed the credit by December 31, 2024). The act instead requires the taxpayer to claim the credit within three years after the vehicle's tax bill was due.

Under both prior law and the act, taxpayers waive their right to the credit if they fail to submit a claim within the allowable period.

Personal Property Declarations

By law, taxpayers that own taxable personal property must annually file with the assessor a personal property declaration listing this property. The act makes several changes to this law.

OPM-Recommended Plate Classes. Beginning by October 1, 2023, the act requires the OPM secretary to annually recommend a schedule of motor vehicle plate classes, in consultation with CAAO. It requires municipal assessors to use the

schedule to determine the classification of motor vehicles for property tax purposes.

The act makes motor vehicles listed on the schedule (1) personal property that must be listed in taxpayers' personal property declarations and (2) valued in the same way as other motor vehicles, as described above, for property tax purposes.

Expanded Types of Personal Property That Must Be Declared. The act expands the types of personal property that taxpayers must include in their personal property declarations. Prior law generally required taxpayers to exclude motor vehicles that were registered with DMV from their personal property declarations. (These motor vehicles are reported to assessors on the annual and supplemental reports provided by DMV.) The act instead requires taxpayers to include any motor vehicles they own that are listed on OPM's schedule of motor vehicle plate classes, as described above.

Under the act, any person who must file a personal property declaration must include motor vehicles that are (1) registered in the town and included on OPM's schedule of motor vehicle plate classes or (2) unregistered or incapable of being used and located in the town. The act also allows filers' declarations to include vehicles that are taxable in a town other than the town they are registered in with DMV. The act specifies that these motor vehicles are valued and prorated in the same way as other motor vehicles under the act (i.e., based on the MSRP and depreciated according to a schedule).

After the declaration filing deadline (November 1, annually), the act requires the assessor to add to a taxpayer's existing declaration, or to a new one if one does not exist, any motor vehicle the assessor determines is personal property as defined under the act. Generally, under existing law, property a filer wrongly excluded from their declaration is considered "omitted property" and subject to a penalty. But under the act, the value of a motor vehicle for the current assessment year is not considered omitted property or subject to the penalty.

Commercial or financial information included in a declaration could not be made public under prior law. The act provides an exception, allowing this information to be made public if it concerns motor vehicles.

Property Wrongly Omitted From a Declaration. By law, municipal assessors must add to a filer's declaration any taxable property that they believe the filer owns but omitted from the declaration. The assessor must also add a 25% penalty to the added property's assessed value.

Under the act, omitted property includes the MSRP of a vehicle and any after-market alterations to the vehicle. (Presumably, this means that filers must include after-market alterations in their declarations.) As described above, under the act, a motor vehicle's value in the current assessment year is not considered omitted property and is not subject to the penalty.

Declaration Filing Form. The act requires OPM, rather than each municipality's assessor as prior law required, to create the form that taxpayers must use to file their annual personal property declarations. OPM must do this in consultation with CAAO.

Listing Motor Vehicles on Municipal Grand Lists

OLR PUBLIC ACT SUMMARY

Situs Rule. Under prior law, any registered or unregistered motor vehicle (including a snowmobile) that most frequently left from and returned to, or remained in, a Connecticut town was subject to property tax in this state, regardless of whether the vehicle worked or was used. Under the “situs rule” a registered motor vehicle is taxable, and added to the grand list, by the town the vehicle most frequently leaves from and returns to or remains in. The law presumes this town is the same town in which the owner resides or has an established business site, as applicable, and sets out rules for determining which town should add a vehicle when its owner lives in more than one town or out of state.

The act generally retains the prior law’s situs rule and expands it to cover unregistered vehicles, as well as registered ones. It specifies that municipalities must include in their grand list (1) registered motor vehicles, (2) motor vehicles that are registered and classified in OPM’s plate class schedule, and (3) unregistered or unusable motor vehicles that are located in the state.

Vehicles Taxable in a Town Other than the Listing Town. Under prior law, if a motor vehicle (or snowmobile) was registered in one town but taxable in another, the assessor of the town in which the vehicle was taxable (the “taxing assessor”) had to notify the assessor of the town in which was is registered (the “listing assessor”). The taxing assessor had to provide the listing assessor with the vehicle owner’s name and address, the vehicle’s identification number, and the town it was taxable in. The law required the taxing assessor and registered assessor to cooperate in listing the vehicle for property tax purposes.

Under the act, if a motor vehicle is listed in one town but taxable in another, the listing assessor must notify the listing assessor and provide the same information prior law required. (Presumably, this means the taxing assessor must notify the listing assessor, not that the listing assessor must notify him or herself.) It requires the assessor of the town in which the vehicle is registered and the listing assessor to cooperate in listing the vehicle for property tax purposes. (Presumably this means the listing assessor and taxing assessor.)

DMV Enforcement of Unpaid Property Taxes

The act expands the DMV’s authority over unpaid property taxes to cover both registered and unregistered vehicles, rather than only registered vehicles.

Prior law prohibited DMV from issuing a registration to anyone who a municipality reported as owing property taxes on a registered snowmobile or motor vehicle. DMV could also, among other things, (1) collect the unpaid property taxes owed on the registered motor vehicle, if DMV entered an agreement with the municipality, OPM secretary, and state treasurer to do so, and (2) immediately suspend or cancel the registrations of all vehicles registered to the reported delinquent taxpayer if the registration was granted due to error, false evidence, or a dishonored check.

The act instead requires municipalities to report to DMV delinquent property taxes on all motor vehicles, regardless of whether the vehicle is listed on the grand list as a registered vehicle or personal property (e.g., an unregistered and unusable vehicle). It also allows DMV to collect delinquent property taxes on all motor

vehicles, rather than only those that are registered, if it has entered an agreement to do so.

Existing law and the act provide an exception for licensed leasing or rental firms and private owners of three or more paratransit vehicles, allowing DMV to continue to register specified vehicles they own under certain circumstances even when property taxes are owed.

§§ 510-512 — BOWLING ESTABLISHMENT PERMITS

Makes minor, technical, and conforming changes to replace references to obsolete permits that no longer exist (e.g., bowling establishment permits) with references to the recently restructured club and nonprofit club permits

The act makes minor, technical, and conforming changes to replace references to obsolete permits that no longer exist (e.g., bowling establishment permits) with references to the recently restructured club and nonprofit club permits.

EFFECTIVE DATE: Upon passage

§ 517 — STATE CONTRACTING STANDARDS BOARD LAPSE REPEAL

Repeals a 2021 implementer provision requiring a partial lapse of SCSB's FY 23 appropriation

The act repeals a 2021 biennial budget implementer provision requiring that \$454,355 of the State Contracting Standards Board's (SCSB) FY 23 appropriation lapse on July 1, 2022 (PA 21-2, June Special Session, § 201). (The 2021 biennial budget act (SA 21-15) appropriated \$637,029 to SCSB in FY 23.)

The 2021 implementer also required that \$449,124 of SCSB's FY 22 appropriation lapse on July 1, 2021.

EFFECTIVE DATE: Upon passage